

# *NORTH CAROLINA* *REGISTER*

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**VOLUME 14 • ISSUE 9 • Pages 655 - 736**

**November 1, 1999**

## **IN THIS ISSUE**

Agriculture  
Cosmetic Art Examiners, Board of  
Cultural Resources  
Environment and Natural Resources  
Health and Human Services  
Labor  
Nursing Home Administrators  
Pharmacy, Board of  
Public Education  
Transportation  
Social Work Certification & Licensure Board  
Rules Review Commission  
Contested Case Decisions

## **PUBLISHED BY**

*The Office of Administrative Hearings*  
*Rules Division*  
**6714 Mail Service Center**  
**Raleigh, NC 27699-6714**  
**Telephone (919) 733-2678**  
**Fax (919) 733-3462**

For those persons that have questions or concerns regarding the Administrative Procedure Act or any of its components, consult with the agencies below. The bolded headings are typical issues which the given agency can address, but are not inclusive.

### **Rule Notices, Filings, Register, Deadlines, Copies of Proposed Rules, etc.**

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116 West Jones Street

Raleigh, North Carolina 27603-8005

(919) 733-7061

(919) 733-0640 FAX

contact: Warren Plonk, Economist III

[wplonk@osbm.state.nc.us](mailto:wplonk@osbm.state.nc.us)

### **Rule Review and Legal Issues**

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1307 Glenwood Ave., Suite 159

Raleigh, North Carolina 27605

(919) 733-2721

(919) 733-9415 FAX

contact: Joe DeLuca Jr., Staff Director Counsel  
Bobby Bryan, Staff Attorney

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Joint Legislative Administrative Procedure Oversight Committee

545 Legislative Office Building

300 North Salisbury Street

(919) 733-2578

Raleigh, North Carolina 27611

(919) 715-5460 FAX

contact: Mary Shuping, Staff Liaison

[marys@ms.ncga.state.nc.us](mailto:marys@ms.ncga.state.nc.us)

### **County and Municipality Government Questions or Notification**

NC Association of County Commissioners

215 North Dawson Street

Raleigh, North Carolina 27603

(919) 715-2893

contact: Jim Blackburn or Rebecca Troutman

NC League of Municipalities

215 North Dawson Street

Raleigh, North Carolina 27603

(919) 715-4000

contact: Paula Thomas

# NORTH CAROLINA REGISTER



Volume 14, Issue 9  
Pages 655 - 736

November 1, 1999

This issue contains documents officially filed through October 11, 1999.

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## IN THIS ISSUE

### I. RULE-MAKING PROCEEDINGS

#### Agriculture

Structural Pest Control Division ..... 655

#### Environment and Natural Resources

Health Services Commission ..... 656

Marine Fisheries ..... 655

Wildlife Resources Commission ..... 655 - 656

### II. PROPOSED RULES

#### Cultural Resources

Archives and History, Division of ..... 657 - 659

#### Environment and Natural Resources

Coastal Resources Commission ..... 662 - 670

Environmental Management Commission ..... 660 - 662

#### Health and Human Services

Mental Health, Developmental Disabilities

& Substance Abuse Services ..... 659 - 660

#### Licensing Boards

Nursing Home Administrators ..... 684 - 686

#### Transportation

Highways, Division of ..... 670 - 684

### III. TEMPORARY RULES

#### Agriculture

Structural Pest Control Committee ..... 687

#### Environment and Natural Resources

Coastal Management Commission ..... 693 - 695

Marine Fisheries ..... 688 - 693

#### Health and Human Services

Medical Assistance ..... 687 - 688

#### Licensing Boards

Social Work Certification & Licensure Bd ..... 697 - 707

#### Transportation

Highways, Division of ..... 695 - 697

### IV. APPROVED RULES ..... 708 - 722

#### Agriculture

Markets

State Fair

#### Environment and Natural Resources

Coastal Management

Health Services

Sedimentation Control

Well Contractor Certification Rules

Wildlife

#### Health and Human Services

Mental Health, Developmental Disabilities

and Substance Abuse Services

#### Labor

Retaliatory Employment Discrimination

#### Licensing Boards

Cosmetic Art Examiners, Board of

Pharmacy, Board of

#### Public Education

Elementary and Secondary Education

#### Transportation

Motor Vehicle, Division of

### V. RULES REVIEW COMMISSION ..... 723 - 730

### VI. CONTESTED CASE DECISIONS

Index to ALJ Decisions ..... 731 - 736

### VII. CUMULATIVE INDEX ..... 1 - 82

*North Carolina Register* is published semi-monthly for \$195 per year by the Office of Administrative Hearings, 424 North Blount Street, Raleigh, NC 27601. (ISSN 15200604) to mail at Periodicals Rates is paid at Raleigh, NC. POSTMASTER: Send Address changes to the *North Carolina Register*, 6714 Mail Service Center, Raleigh, NC 27699-6714.

The North Carolina Administrative Code (NCAC) has four major subdivisions of rules. Two of these, *titles* and *chapters*, are mandatory. The major subdivision of the NCAC is the title. Each major department in the North Carolina executive branch of government has been assigned a title number. Titles are further broken down into chapters which shall be numerical in order. The other two, *subchapters* and *sections* are optional subdivisions to be used by agencies when appropriate.

### TITLE/MAJOR DIVISIONS OF THE NORTH CAROLINA ADMINISTRATIVE CODE

TITLE	DEPARTMENT	LICENSING BOARDS	CHAPTER
1	Administration	Acupuncture	1
2	Agriculture	Architecture	2
3	Auditor	Athletic Trainer Examiners	3
4	Commerce	Auctioneers	4
5	Correction	Barber Examiners	6
6	Council of State	Certified Public Accountant Examiners	8
7	Cultural Resources	Chiropractic Examiners	10
8	Elections	Employee Assistance Professionals	11
9	Governor	General Contractors	12
10	Health and Human Services	Cosmetic Art Examiners	14
11	Insurance	Dental Examiners	16
12	Justice	Dietetics/Nutrition	17
13	Labor	Electrical Contractors	18
14A	Crime Control & Public Safety	Electrolysis	19
15A	Environment and Natural Resources	Foresters	20
16	Public Education	Geologists	21
17	Revenue	Hearing Aid Dealers and Fitters	22
18	Secretary of State	Landscape Architects	26
19A	Transportation	Landscape Contractors	28
20	Treasurer	Marital and Family Therapy	31
*21	Occupational Licensing Boards	Medical Examiners	32
22	Administrative Procedures (Repealed)	Midwifery Joint Committee	33
23	Community Colleges	Mortuary Science	34
24	Independent Agencies	Nursing	36
25	State Personnel	Nursing Home Administrators	37
26	Administrative Hearings	Occupational Therapists	38
27	NC State Bar	Opticians	40
		Optometry	42
		Osteopathic Examination & Reg. (Repealed)	44
		Pastoral Counselors, Fee-Based Practicing	45
		Pharmacy	46
		Physical Therapy Examiners	48
		Plumbing, Heating & Fire Sprinkler Contractors	50
		Podiatry Examiners	52
		Professional Counselors	53
		Psychology Board	54
		Professional Engineers & Land Surveyors	56
		Real Estate Appraisal Board	57
		Real Estate Commission	58
		Refrigeration Examiners	60
		Sanitarian Examiners	62
		Social Work Certification	63
		Soil Scientists	69
		Speech & Language Pathologists & Audiologists	64
		Substance Abuse Professionals	68
		Therapeutic Recreation Certification	65
		Veterinary Medical Board	66

**Note:** Title 21 contains the chapters of the various occupational licensing boards.

**NORTH CAROLINA REGISTER**  
**Publication Schedule**  
*(April 1999 - January 2000)*

<b>FILING DEADLINES</b>			<b>NOTICE OF RULE-MAKING PROCEEDINGS</b>			<b>NOTICE OF TEXT (either column A or column B)</b>			<b>TEMPORARY RULE</b>		
volume and issue number	issue date	last day for filing	earliest register issue for publication of text	earliest date for public hearing	end of required comment period	<b>A. non-substantial economic impact</b>			<b>B. substantial economic impact</b>		
						deadline to submit to RRC for review at next RRC meeting	first legislative day of the next regular session	end of required comment period	submit to RRC for review at next RRC meeting	first legislative day of the next regular session	
<b>13:19</b>	04/01/99	03/31/99	06/01/99	04/16/99	05/03/99	05/20/99	05/09/00	05/31/99	06/21/99	05/09/00	12/27/99
<b>13:20</b>	04/15/99	03/24/99	06/15/99	04/30/99	05/17/99	05/20/99	05/09/00	06/14/99	06/21/99	05/09/00	01/10/00
<b>13:21</b>	05/03/99	04/12/99	07/15/99	05/18/99	06/02/99	06/21/99	05/09/00	07/02/99	07/20/99	05/09/00	01/28/00
<b>13:22</b>	05/14/99	04/23/99	07/15/99	06/01/99	06/14/99	06/21/99	05/09/00	07/13/99	07/20/99	05/09/00	02/08/00
<b>13:23</b>	06/01/99	05/10/99	08/02/99	06/16/99	07/01/99	07/20/99	05/09/00	08/02/99	08/20/99	05/09/00	02/26/00
<b>13:24</b>	06/15/99	05/24/99	08/16/99	06/30/99	07/15/99	07/20/99	05/09/00	08/16/99	08/20/99	05/09/00	03/11/00
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<b>14:06</b>	09/15/99	08/24/99	11/15/99	09/30/99	10/15/99	10/24/99	05/09/00	11/15/99	11/22/99	05/09/00	06/11/00
<b>14:07</b>	10/01/99	09/10/99	12/01/99	10/18/99	11/01/99	11/22/99	05/09/00	11/30/99	12/20/99	05/09/00	06/27/00
<b>14:08</b>	10/15/99	09/24/99	12/15/99	11/01/99	11/15/99	11/22/99	05/09/00	12/14/99	12/20/99	05/09/00	07/11/00
<b>14:09</b>	11/01/99	10/11/99	01/04/00	11/16/99	12/01/99	12/21/99	05/09/00	12/31/99	01/20/00	05/09/00	07/28/00
<b>14:10</b>	11/15/99	10/22/99	01/14/00	11/30/99	12/15/99	12/20/99	05/09/00	01/14/00	01/20/00	05/09/00	08/11/00
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<b>14:12</b>	12/15/99	11/22/99	02/15/00	12/30/99	01/14/00	01/20/00	05/09/00	02/14/00	02/21/00	05/09/00	09/10/00
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<b>14:14</b>	01/14/00	12/21/99	03/15/00	01/31/00	02/14/00	02/21/00	05/09/00	03/31/00	03/20/00	05/09/00	10/10/00

## EXPLANATION OF THE PUBLICATION SCHEDULE

**This Publication Schedule is prepared by the Office of Administrative Hearings as a public service and the computation of time periods are not to be deemed binding or controlling.**  
Time is computed according to 26 NCAC 2C .0302 and the Rules of Civil Procedure, Rule 6.

### GENERAL

The North Carolina Register shall be published twice a month and contains the following information submitted for publication by a state agency:

- (1) temporary rules;
- (2) notices of rule-making proceedings;
- (3) text of proposed rules;
- (4) text of permanent rules approved by the Rules Review Commission;
- (5) notices of receipt of a petition for municipal incorporation, as required by G.S. 120-165;
- (6) Executive Orders of the Governor;
- (7) final decision letters from the U.S. Attorney General concerning changes in laws affecting voting in a jurisdiction subject of Section 5 of the Voting Rights Act of 1965, as required by G.S. 120-30.9H;
- (8) orders of the Tax Review Board issued under G.S. 105-241.2; and
- (9) other information the Codifier of Rules determines to be helpful to the public.

### FILING DEADLINES

**ISSUE DATE:** The Register is published on the first and fifteenth of each month if the first or fifteenth of the month is not a Saturday, Sunday, or State holiday for employees mandated by the State Personnel Commission. If the first or fifteenth of any month is a Saturday, Sunday, or a holiday for State employees, the North Carolina Register issue for that day will be published on the day of that month closest to either before or after the first or fifteenth respectively that is not a Saturday, Sunday, or holiday for State employees.

**LAST DAY FOR FILING:** The last day for filing for any issue is 15 days before the issue date excluding Saturdays, Sundays, and holidays for State employees.

### NOTICE OF RULE-MAKING PROCEEDINGS

**END OF COMMENT PERIOD TO A NOTICE OF RULE-MAKING PROCEEDINGS:** This date is 60 days from the issue date. An agency shall accept comments on the notice of rule-making proceeding until the text of the proposed rules is published, and the text of the proposed rule shall not be published until at least 60 days after the notice of rule-making proceedings was published.

**EARLIEST REGISTER ISSUE FOR PUBLICATION OF TEXT:** The date of the next issue following the end of the comment period.

### NOTICE OF TEXT

**EARLIEST DATE FOR PUBLIC HEARING:** The hearing date shall be at least 15 days after the date a notice of the hearing is published.

**END OF REQUIRED COMMENT PERIOD,**

- (1) RULE WITH NON-SUBSTANTIAL ECONOMIC IMPACT: An agency shall accept comments on the text of a proposed rule for at least 30 days after the text is published or until the date of any public hearings held on the proposed rule, whichever is longer.
- (2) RULE WITH SUBSTANTIAL ECONOMIC IMPACT: An agency shall accept comments on the text of a proposed rule published in the Register and that has a substantial economic impact requiring a fiscal note under G.S. 150B-21.4(b1) for at least 60 days after publication or until the date of any public hearing held on the rule, whichever is longer.

**DEADLINE TO SUBMIT TO THE RULES REVIEW COMMISSION:** The Commission shall review a rule submitted to it on or before the twentieth of a month by the last day of the next month.

**FIRST LEGISLATIVE DAY OF THE NEXT REGULAR SESSION OF THE GENERAL ASSEMBLY:** This date is the first legislative day of the next regular session of the General Assembly following approval of the rule by the Rules Review Commission. See G.S. 150B-21.3, Effective date of rules.

**COMPUTING TIME:** In computing time in the schedule, the day of publication of the North Carolina Register is not included. The last day of the period so computed is included, unless it is a Saturday, Sunday, or State holiday, in which event the period runs until the preceding day which is not a Saturday, Sunday, or State holiday.

*A Notice of Rule-making Proceedings is a statement of subject matter of the agency's proposed rule making. The agency must publish a notice of the subject matter for public comment at least 60 days prior to publishing the proposed text of a rule. Publication of a temporary rule serves as a Notice of Rule-making Proceedings and can be found in the Register under the section heading of Temporary Rules. A Rule-making Agenda published by an agency serves as Rule-making Proceedings and can be found in the Register under the section heading of Rule-making Agendas. Statutory reference: G.S. 150B-21.2.*

**TITLE 2 - DEPARTMENT OF AGRICULTURE****CHAPTER 34 - STRUCTURAL PEST CONTROL  
DIVISION**

*Notice of Rule-making Proceedings is hereby given by the North Carolina Structural Pest Control Committee in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.*

**Citation to Existing Rules Affected by this Rule-Making:** 2 NCAC 34 .0102 - *Other rules may be proposed in the course of the rule-making process.*

**Authority for the rule-making:** G.S. 106-65.29

**Statement of the Subject Matter:** *Rule .0102 establishes definitions for terms used in rules pertaining to structural pest control. Proposed change would add a definition of the term "physical barrier" as it relates to termites. A new rule would establish standards for approval and installation of physical barrier products.*

**Reason for Proposed Action:** *Agency staff has recommended these rule changes to allow the sale and use of certain products that protect structures from termites by creating a physical barrier.*

**Comment Procedures:** *Written comments may be submitted to Carl Falco, Secretary, North Carolina Structural Pest Control Committee, PO Box 27647, Raleigh, NC 27611.*

**TITLE 15A - DEPARTMENT OF  
ENVIRONMENT AND NATURAL RESOURCES****CHAPTER 3 - MARINE FISHERIES****SUBCHAPTER 3J - NETS, POTS, DREDGES,  
AND OTHER FISHING DEVICES**

*Notice of Rule-making Proceedings is hereby given by the NC Marine Fisheries Commission in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.*

**Citation to Existing Rules Affected by this Rule-Making:**

*15A NCAC 3J .0402 - Other rules may be proposed in the course of the rule-making process.*

**Authority for the rule-making:** G.S. 143B-289.52

**Statement of the Subject Matter:** *Establish a zone adjacent to and offshore of the Sunset Beach Fishing Pier where fishing with commercial fishing equipment would be restricted or prohibited to avoid conflict.*

**Reason for Proposed Action:** *Marc S. and Rebecca D. Kaplan, owners of the Sunset Beach Fishing Pier, filed a petition for rulemaking with the Marine Fisheries Commission dated June 15, 1999. The petition requests a restricted zone from the pier to Tubb's Inlet from July through December and from pier to Mad Inlet from January through June. No commercial equipment would be allowed in this zoned area in addition to the 750 ft. zone on the opposite side of the pier.*

**Comment Procedures:** *Written comments are encouraged and may be submitted to the MFC, Juanita Gaskill, PO Box 769, Morehead City, NC 28557.*

\*\*\*\*\*

**CHAPTER 10 - WILDLIFE  
RESOURCES AND WATER SAFETY****SUBCHAPTER 10C - INLAND FISHING  
REGULATIONS**

*Notice of Rule-making Proceedings is hereby given by the North Carolina Wildlife Resources Commission in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.*

**Citation to Existing Rules Affected by this Rule-Making:** 15A NCAC 10C .0107 - *Other rules may be proposed in the course of the rule-making process.*

**Authority for the rule-making:** G.S. 113-132; 113-134; 113-138; 113-292.

**Statement of the Subject Matter:** *Set/Amend Fishing Regulations in Joint Waters*

**Reason for Proposed Action:** *To set/amend fishing regulations*

*in joint waters to conform with changes in Marine Fisheries rules.*

**Comment Procedures:** *The record will be open for receipt of written comments. Such written comments must be delivered or mailed to the North Carolina Wildlife Resources Commission, 512 N. Salisbury Street, Raleigh, NC 27604-1188.*

\*\*\*\*\*

## **CHAPTER 18 - ENVIRONMENTAL HEALTH**

### **SUBCHAPTER 18A - SANITATION**

**N**otice of Rule-making Proceedings is hereby given by the Commission for Health Services in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

**Citation to Existing Rules Affected by this Rule-Making:**  
15A NCAC 18A .0100, .0300 - .0900 - Other rules may be proposed in the course of the rule-making process.

**Authority for the rule-making:** G.S. 130A-230

**Statement of the Subject Matter:** Hazard Analysis Critical Control Point inspection protocol will be implemented into North Carolina Shellfish and Crustacea Meat Rules.

**Reason for Proposed Action:** Title 21 of the Code of Federal Regulations Part 123 requires that dealers shipping seafood products in interstate commerce develop and implement a Hazard Analysis Critical Control Point Plan for their plants. Additionally, the National Shellfish Sanitation Program requires that all states in the Program develop HACCP Rules.

**Comment Procedures:** Comments may be submitted to Dave Clawson, Shellfish Sanitation Section, PO Box 769, Morehead City, NC 28557; Phone (252) 726-6827.

This Section contains the text of proposed rules. At least 60 days prior to the publication of text, the agency published a Notice of Rule-making Proceedings. The agency must accept comments on the proposed rule for at least 30 days from the publication date, or until the public hearing, or a later date if specified in the notice by the agency. The required comment period is 60 days for a rule that has a substantial economic impact of at least five million dollars (\$5,000,000). Statutory reference: G.S. 150B-21.2.

## TITLE 7 - DEPARTMENT OF CULTURAL RESOURCES

**N**otice is hereby given in accordance with G.S. 150B-21.2 that the Department of Cultural Resources intends to amend the rules cited as 7 NCAC 4S .0101-.0110. Notice of Rule-making Proceedings was published in the Register on September 1, 1999.

**Proposed Effective Date:** August 1, 2000

**A Public Hearing** will be conducted at 9:00 a.m. on November 16, 1999 at the Archives and History Building, Conference Room 305, 109 E. Jones Street, Raleigh, NC.

**Reason for Proposed Action:** The proposed amendments are needed to meet state requirements for earned admission receipts for FY 1999-2000 and to bring up to date the current administrative status of the Tryon Palace Historic Sites and Gardens. Most ticket receipts are utilized to fund temporary minimum wage employees as guides, character interpreters, and crafts demonstrators. There has been no ticket price increase for over ten years, while minimum wages have continued to increase. Levels of visitation appear to be sufficiently high to support this change. Additionally, clarification in hours of operation and services available need to be incorporated into the rules.

**Comment Procedures:** Written comments may be submitted through December 1, 1999, to Boyd D. Cathey, Division of Archives and History, NC Department of Cultural Resources, 4614 Mail Service Center, 109 East Jones Street, Raleigh, NC 27699-4614.

<b>Fiscal Impact</b>			
State	Local	Sub.	None
			✓

## CHAPTER 4 - DIVISION OF ARCHIVES AND HISTORY

### SUBCHAPTER 4S - TRYON HISTORIC SITES AND GARDENS

#### .0101 STATEMENT OF PURPOSE

The purpose of the Tryon Palace Historic Sites and Gardens Section is to preserve, operate, and maintain the Tryon Palace Historic Sites and Gardens Section for public benefit, to present a program whereby citizens have maximum opportunity to learn and appreciate their history and heritage as represented through

the historic buildings and exhibition facilities, and to maintain the preserve the historic collections furnishings, buildings, and gardens in keeping with the best conservation professional preservation practices. It is also the section's agency's purpose to increase visitation through wider promotion and publicity, through expanded crafts programs and special educational tours, historical interpretation programs, educational tours, and programs for school audiences, workshops, concerts, and lectures.

Authority G.S. 121-4(8), (9); 143B-10(j); 143B-62(2)d.; 143B-71.

#### .0102 VISITING HOURS

(a) Tryon Palace Restoration Historic Sites and Gardens will be open Monday through Saturday from 9:30 a.m. to 4:00 p.m. 9:00 a.m., with the last ticket purchased to be no later than 4:00 p.m. and on Sunday from 1:30 p.m. to 4:00 p.m. 1:00 p.m., with the last ticket to be purchased no later than 4:00 p.m. From Memorial Day weekend through Labor Day weekend the last time to purchase a ticket to begin a tour is extended to 5:00 p.m. The Gardens will close at 7:00 p.m. during this period.

(b) Tryon Palace Restoration Historic Sites and Gardens will be closed on New Year's Day, Thanksgiving Day, and Christmas holidays as set by the State of North Carolina for state employees. December 24, 25, and 26.

Authority G.S. 121-4(8), (9); 143B-10(j); 143B-62(2)d.; 143B-71.

#### .0103 ADMISSION PRICES:

Admission prices are:

- (1) Tryon Palace and gardens, adults, eight dollars (\$8.00); students through high school, high dollars (\$4.00); college students and military personnel with identification, seven dollars (\$7.00); groups of 20 or more arranged in advance, seven dollars (\$7.00).
- (1) General admission ticket to all museum buildings and gardens, adults fifteen dollars (\$15.00); students through high school six dollars (\$6.00).
- (2) Stanly and Dixon-Stevenson Houses, adults, eight dollars (\$8.00); students through high school, four dollars (\$4.00).
- (2) General admission ticket to all museum buildings and gardens, groups of 20 or more arranged in advance, adults twelve dollars (\$12.00); students through high school five dollars (\$5.00).
- (3) General admission ticket to all exhibition buildings and gardens, adults, twelve dollars (\$12.00); students through high school, six dollars (\$6.00).

- (3) General admission ticket to all museum buildings and gardens, military, AAA, and college student discount, twelve dollars (\$12.00).
- (4) Garden ticket, adults four dollars (\$4.00); students through high school, three dollars (\$3.00).
- (4) Palace ticket only, groups of 20 or more arranged in advance, adults ten dollars (\$10.00); students through high school three dollars (\$3.00).
- (5) Gardens and crafts ticket only, including Stables, Kitchen Office, and Blacksmith Shop, adults eight dollars (\$8.00); students through high school three dollars (\$3.00).
- (6) Special events, workshops, and lectures, adults four dollars (\$4.00); students through high school two dollars (\$2.00).
- (7) Academy ticket only, adults two dollars (\$2.00); students through high school one dollar (\$1.00).
- (8) Annual pass for unlimited access to all museum buildings, gardens, special tours, lectures, and workshops (except Decorative Arts Symposium); adults forty dollars (\$40.00); students through high school twenty dollars (\$20.00).
- (5) (9) No charge for children under six.

*Authority G.S. 121-4(8), (9); 143B-10(j); 143B-62(2)d.; 143B-71.*

**.0104 VISITATION RULES**

(a) Eating and chewing gum are not permitted in the Tryon Palace Restoration Historic Sites and Gardens exhibition buildings. With prior approval of the Chief, Tryon Palace Historic Sites and Gardens Section, refreshments may be served within the exhibition area in non-exhibition and non-collection areas for special events and meetings.

(b) Pets are not permitted in the buildings or on the grounds of the restoration site, except guide dogs for legally blind persons: animals assisting disabled persons.

(c) Photography is not permitted inside the exhibition buildings except with advance approval of the Chief, Tryon Palace Historic Sites and Gardens Section. A staff member must accompany the photographer at all times. Requirements for special lighting or wiring must be cleared through the technical services director.

(d) Teachers or sponsors accompanying school or other groups will be responsible for the conduct of the group.

(e) Groups will stay together. One teacher or adult should accompany each student group for the entire tour.

(f) Teachers or sponsors will be responsible for controlling their groups when using restrooms or visiting the Tryon Palace Shops: Historic Sites and Gardens shops and gardens.

(g) All tours of the Tryon Palace Historic Sites and Gardens exhibition buildings are conducted supervised by guides. The general public is not allowed to go through the buildings without a guide: guide or designated staff attendant. Tours of the Kitchen Office, Stables, and the New Bern Academy Museum are self-guided, but a guide or character interpreter is available for assistance.

*Authority G.S. 121-4(8), (9); 143B-10(j); 143B-62(2)d.; 143B-71.*

**.0105 USE OF THE AUDITORIUM**

(a) Because of the regularly scheduled Tryon Palace orientation program, no group will be permitted to use the auditorium between the hours of 9:00 a.m. and 4:00 p.m. on days of regular operation: All use of the auditorium by outside groups needs the approval of the Chief, Tryon Palace Historic Sites and Gardens Section.

(b) Application for use must be presented to and approved by the Chief, Tryon Palace Section: Historic Sites and Gardens, according to the following regulations:

- (1) Reservations must be submitted at least two weeks prior to requested date.
- (2) The using organization will designate one person who is responsible for the meeting and the use of auditorium. This person will sign the application signifying this responsibility.
- (3) No Smoking is permitted in the lobby are only Building.
- (4) Priority for use will be given to governmental agencies and organizations whose aim and activities relate to the activities of the Department of Cultural Resources.
- (5) Microphones and any state-owned audiovisual equipment must be operated by a member of the Tryon Palace Restoration Historic Sites and Gardens staff.

*Authority G.S. 121-4(8), (9); 143B-10(j); 143B-62(2)d.; 143B-71.*

**.0106 RESEARCH**

With special written permission of the Chief, Tryon Palace Historic Sites and Gardens Section, research may be conducted by qualified scholars or persons in the museum field utilizing items in the libraries and collections of the Tryon Palace Restoration Historic Sites and Gardens during regular hours of operation. Research materials may not be taken out overnight.

*Authority G.S. 121-4(8), (9); 143B-10(j); 143B-62(2)d.; 143B-71.*

**.0107 AUDIOVISUAL AIDS**

Slide sets of Tryon Palace Historic Sites and Gardens are available on a loan basis for a small fee through the education branch of the Tryon Palace Section: through the Group Sales Coordinator of the Tryon Palace Historic Sites and Gardens. The website address is www.tryonpalace.org.

*Authority G.S. 121-4(8), (9); 143B-10(j); 143B-62(2)d.; 143B-71.*

**.0108 - PHOTOGRAPHIC SERVICES**

Duplicates of photographs Photographs from the Tryon Palace

Historic Sites and Gardens accessioning files are available at cost. Special photos can be taken by a member of the Tryon Palace staff on special order at cost. Inquiries should be addressed to the Director of Research and Collections, Curator of Collections or Marketing Manager.

Authority G.S. 121-4(8), (9); 143B-10(j); 143B-62(2)d.; 143B-71.

**.0109 ACQUISITION OF ARTIFACTS**

Furniture, art objects, artifacts, or other objects within the period of the Tryon Palace Restoration Historic Sites and Gardens buildings are accepted on behalf of the state by the Tryon Palace Commission to further interpret the history and life styles of the appropriate periods. Offers of gifts or loans of furniture, art objects, and artifacts to Tryon Palace Historic Sites and Gardens must be directed to the Chief, Tryon Palace Section: Historic Sites and Gardens. The Chief will present all such offers to the Chairman of the Tryon Palace Commission with a recommendation of which artifacts shall be accepted. The Chairman will refer the recommendation to the appropriate committee of the Tryon Palace Commission.

Authority G.S. 121-4(8), (9); 143B-10(j); 143B-62(2)d.; 143B-71.

**.0110 OPERATION**

Rules .0001 through .0108 in Subchapter 4N, Section .0100; Rules 7 NCAC 4N .0101-.0108 shall apply to the operation of the Tryon Palace Restoration Historic Sites and Gardens, unless otherwise covered in Subchapter 4S.

Authority G.S. 121-4(8), (9); 143B-10(j); 143B-62(2)d.; 143B-71.

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**TITLE 10 - DEPARTMENT OF  
HEALTH AND HUMAN SERVICES**

*Notice is hereby given in accordance with G.S. 150B-21.2 that the Commission for Mental Health, Developmental Disabilities and Substance Abuse Services intends to amend the rule cited as 10 NCAC 45G .0410. Notice of Rule-making Proceedings was published in the Register on June 1, 1999.*

**Proposed Effective Date:** August 1, 2000

**Instructions on How to Demand a Public Hearing (must be requested in writing within 15 days of notice):** To demand a public hearing, submit written requests to Charlotte F. Hall, Rule-making Coordinator, Division of Mental Health, Developmental Disabilities and Substance Abuse Services, 325 N. Salisbury Street, Albemarle Building, Suite 1156, Raleigh, NC 27603-5906.

**Reason for Proposed Action:** This rule refers to the use of

*"controlled substances in emergency kits" in long-term nursing care facilities. There is broad recognition among clinicians who have studied the pathophysiology and management of pain that clinicians often seriously under treat pain. A request was presented to the Commission for Mental Health, Developmental Disabilities and Substance Abuse Services to approve the proposed amendment to this Rule. The acuity level of nursing facility residents has increased markedly over the past few years. However, the rules governing controlled substances for residents have not been modified in more than 20 years. The requested changes will greatly enhance the ability to meet emergency medical needs of residents, yet maintain adequate safeguards, accountability, and security of emergency medications.*

**Comment Procedures:** Written comments should be submitted to Charlotte F. Hall, Rule-making Coordinator, Division of Mental Health Developmental Disabilities and Substance Abuse Services, 325 N. Salisbury Street, Albemarle Building, Suite 1156, Raleigh, NC 27603-5906 on or before December 1, 1999.

**Fiscal Impact**

State	Local	Sub.	None
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**CHAPTER 45 - COMMISSION FOR MENTAL  
HEALTH, DEVELOPMENTAL DISABILITIES  
AND SUBSTANCE ABUSE SERVICES**

**SUBCHAPTER 45G - MANUFACTURERS:  
DISTRIBUTORS: DISPENSERS AND RESEARCHERS  
OF CONTROLLED SUBSTANCES**

**SECTION .0400 - MISCELLANEOUS**

**.0410 SPECIAL CONTROLLED SUBSTANCES  
EMERGENCY KIT**

A (special) controlled substances emergency kit shall be permitted in those skilled nursing facilities, intermediate care facilities and combination facilities which are licensed with the Department of Health and Human Services: Health and Human Services:

- (1) The controlled substances emergency kit shall contain not more than five controlled drug entities (Schedules II-V) as determined by the medical staff of the facility with the approval of the pharmaceutical services committee.
- (2) Controlled substances for emergency use shall be obtained through purchase orders from the licensed pharmacist who regularly provides medications to the facility and its patients. When Schedule II drugs are purchased, federal Drug Enforcement Administration order forms must be used.
- (3) Controlled substances for emergency use shall be provided in a single unit-dose form.
- (4) A facility shall be permitted to possess not more than

three five doses of each controlled drug entity for each 50 licensed beds or fraction thereof. The three five doses of each drug entity may be of the same or differing concentrations.

(5) The controlled emergency drug supply shall be used only for a bona fide medical emergency: to meet the urgent needs of patients, consistent with good medical practice: practice. The need for such use shall be documented in the patient's medical record consistent with applicable state and federal statutes and regulations, and shall not serve as a routine source of medication for facility patients.

(6) The attending physician shall substantiate in writing in the patient record the necessity for the use of any controlled substance contained in the emergency kit.

(6) (7) The controlled substance emergency kit shall be securely locked and stored with access limited to authorized personnel, stored in a securely locked, substantially constructed cabinet governing the storage of controlled substances.

(7) (8) Only those persons designated by the director of the facility shall have access to the controlled substances emergency kit.

(8) (9) The pharmacist-supplier of the controlled drugs for emergency use shall have primary responsibility for the proper control and accountability of such drugs in the facility.

(9) (10) No person, individual, practitioner or facility shall be permitted to perform by virtue of these regulations any act otherwise prohibited by law.

(10) (11) Nothing in these regulations shall compel any licensed pharmacist to provide controlled drugs for emergency use to any facility against his professional judgment.

(11) (12) All pertinent provisions of Article 3, Section 8, of the North Carolina Board of Pharmacy rules and regulations relating to emergency kits generally shall apply.

(12) (13) Exceptions to these regulations shall not be made unless otherwise provided by law.

(13) (14) Each registrant desiring to maintain a controlled substance emergency kit must be registered with the Federal Drug Enforcement Administration or receive an exemption from registration by that agency.

Authority G.S. 90-100; 143B-147.

#### TITLE 15A - DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

**N**otice is hereby given in accordance with G.S. 150B-21.2 that the Environmental Management Commission intends to adopt the rule cited as 15A NCAC 2B .0241. Notice of Rule-making Proceedings was published in the Register on August 2, 1999.

**Proposed Effective Date:** August 1, 2000

**A Public Hearing** will be conducted at 6:30 p.m. on November 16, 1999 at Wayne Community College, Learning Center Auditorium, 3000 Wayne Memorial Drive, Goldsboro, NC 27530.

**Reason for Proposed Action:** House Bill 1402 established the Stakeholder Advisory Committee for the Neuse Buffer Rule. The Committee consisted of 23 members representing specific organizations with interests ranging from environmental protection, local government, development, industry and federal and state regulatory agencies. The Committee's role was to recommend modifications to the Neuse Buffer Rule (NBR) as adopted in 15A NCAC 2B .0233 by the Environmental Management Commission. The intent of this process is to protect and enhance the water quality of the Neuse River while not imposing an undue burden on the regulated public. House Bill 1402 established how the rule was to be implemented on a temporary basis, created a stakeholder committee, established a requirement to allow for alternatives to maintaining the buffer through a compensatory mitigation program, established a Riparian Buffer Mitigation Fund and program, and established a requirement for the Environmental Management Commission (EMC) to adopt rules to provide for delegation of the program to interested local governments.

**Comment Procedures:** The purpose of this announcement is to encourage those interested in this rulemaking to provide written comments. Written comments may be submitted to Lin Xu, DENR, Division of Water Quality, Planning Branch, Mail Service Center 1617, Raleigh, NC 27699-1617. Questions may be directed to Lin Xu at (919) 733-5083, ext. 357, or lin.xu@ncmail.net. The comment period will end on December 1, 1999.

#### Fiscal Impact

State	Local	Sub.	None
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### CHAPTER 2 - ENVIRONMENTAL MANAGEMENT

#### SUBCHAPTER 2B - SURFACE WATER AND WETLAND STANDARDS

#### SECTION .0200 - CLASSIFICATIONS AND WATER QUALITY STANDARDS APPLICABLE TO SURFACE WATERS AND WETLANDS OF NORTH CAROLINA

##### .0241 NEUSE RIVER BASIN: NUTRIENT SENSITIVE WATERS MANAGEMENT STRATEGY: DELEGATION OF AUTHORITY FOR THE PROTECTION AND MAINTENANCE OF RIPARIAN BUFFERS

(a) Purpose. This Rule sets out the requirements for delegation of the responsibility for implementing and enforcing the state's riparian buffer protection program to local

governments.

(b) Procedures For Granting and Rescinding Delegation. The Commission shall grant and rescind local government delegation of the Neuse River Basin Riparian Buffer Protection requirements according to the following procedures.

- (1) Local governments within the Neuse River Basin may submit a written request to the Commission for authority to implement and enforce the State's riparian buffer protection requirements within their jurisdiction. The written request shall be accompanied by information which shows:
  - (A) The local government has land use jurisdiction for the riparian buffer demonstrated by delineating the local land use jurisdictional boundary on USGS 1:24,000 topographical map(s) or other appropriate scale map(s);
  - (B) The local government has the administrative organization, staff, legal authority, financial and other resources necessary to implement and enforce the State's riparian buffer protection requirements based on its size and projected amount of development;
  - (C) The local government has adopted ordinances, resolutions, or regulations necessary to establish and maintain the State's riparian buffer protection requirements; and
  - (D) The local government has provided a plan to address violations with appropriate remedies and actions.
- (2) Within 90 days after the Commission has received the request for delegation, the Commission shall notify the local government whether it has been approved, approved with modifications, or denied.
- (3) The Commission, upon determination that a delegated local authority is failing to implement or adequately enforce the state's riparian buffer protection requirements, shall notify the delegated local authority in writing of the local program's inadequacies. If the delegated local authority has not corrected the deficiencies within 90 days of receipt of the written notification, then the Commission shall rescind the delegation of authority to the local government and shall implement and enforce the State's riparian buffer protection requirements.
- (4) The Commission may delegate its duties and powers for granting and rescinding local government delegation of the State's riparian buffer protection requirements, in whole or in part, to the Director.
- (c) Appointment of a Riparian Buffer Protection Administrator. Upon receiving delegation, local governments shall appoint a Riparian Buffer Protection Administrator who shall coordinate the implementation and enforcement of the program. The Administrator shall attend an initial training session by the Division and subsequent annual training sessions. The Administrator shall ensure that local government staff working directly with the program receive training to understand, implement and enforce the program.

(d) Procedures for Uses Within Riparian Buffers That Are Allowable and Allowable with Mitigation. Upon receiving delegation, local authorities shall be responsible for reviewing proposed uses within the riparian buffer and issuing approvals if the uses meet the State's riparian buffer protection requirements. Delegated local authorities shall issue an Authorization Certificate for uses if the proposed use meets the State's riparian buffer protection requirements, or provides for appropriate mitigated provisions to the State's riparian buffer protection requirements. The Division shall have the authority to challenge a decision made by a delegated local authority for a period of 30 days after the Authorization Certificate is issued. If the Division does not challenge an Authorization Certificate within 30 days of issuance, then the delegated local authority's decision will stand.

(e) Variances. After receiving delegation, local governments shall be responsible for reviewing variance requests, providing approvals for minor variance requests and making recommendations to the Commission for major variance requests pursuant to the State's riparian buffer protection program.

(f) Limits of Delegated Local Authority. The Commission shall have jurisdiction to the exclusion of local governments to implement the State's riparian buffer protection requirements for the following types of activities:

- (1) Activities conducted under the authority of the State;
- (2) Activities conducted under the authority of the United States;
- (3) Activities conducted under the authority of multiple jurisdictions;

Activities conducted under the authority of local units of government.

(g) Record-keeping Requirements. Delegated local authorities are required to maintain on-site records for a minimum of five years. Delegated local authorities must furnish a copy of these records to the Director within 30 days of receipt of a written request for the records. The Division will inspect local riparian buffer protection programs to ensure that the programs are being adequately implemented and enforced. Each delegated local authority's records shall include the following:

- (1) A copy of variance requests;
- (2) The variance request's finding of fact;
- (3) The result of the variance proceedings;
- (4) A record of complaints and action taken as a result of the complaint;
- (5) Records for stream origin calls and stream ratings; and
- (6) Copies of request for authorization, records approving authorization and Authorization Certificates.

Authority G.S. 143-214.1; 143-214.7; 143-215.3(a)(1); S.L. 1998, c. 221.

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**N**otice is hereby given in accordance with G.S. 150B-21.2 that the Coastal Resources Commission intends to amend rules cited as 15A NCAC 7H. 1103, .1203, .1303, .1403, .1503, .1603, .1803, .1903, .2003, .2103, .2203, .2303; 7J .0204, .0404 -.406. Notice of Rule-making Proceedings was published in the Register on September 15, 1999.

**Proposed Effective Date:** August 1, 2000

**A Public Hearing** will be conducted at 4:30 p.m. on November 18, 1999 at the Coast Line Convention Center, 501 Nut Street, Wilmington, NC 28401.

**Reason for Proposed Action:** These rule amendments would raise major permit application fees for public or commercial projects from \$250 to \$400, raise the application fees for minor and general permits from \$50 to \$100, raise the fees for major development extension requests, minor permit and modifications and permit transfers from \$50 to \$100 and raise the fees for exemptions of private bulkheads, riprap, piers and single family residences from \$0 to \$50. Permit fees have not been increased since 1991.

**Comment Procedures:** Written comments will be accepted through December 1, 1999. Comments may be submitted to Cathy Brittingham, Coastal Policy Analyst, NC Division of Coastal Management, PO Box 27687, Raleigh, NC 27611-7687.

<b>Fiscal Impact</b>		
State	Local	<b>Sub. None</b>
✓	✓	

## **CHAPTER 7 - COASTAL MANAGEMENT**

### **SUBCHAPTER 7H - STATE GUIDELINES FOR AREAS OF ENVIRONMENTAL CONCERN**

#### **SECTION .1100 - GENERAL PERMIT FOR CONSTRUCTION OF BULKHEADS AND THE PLACEMENT OF RIPRAP FOR SHORELINE PROTECTION IN ESTUARINE AND PUBLIC TRUST WATERS**

##### **.1103 PERMIT FEE**

The applicant must pay a permit fee of fifty dollars (\$50.00) one hundred dollars (\$100.00) by check or money order payable to the Department.

*Authority* G.S. 113A-107(a); 113A-107(b); 113A-113(b); 113A-118.1; 113A-119; 113A-124.

#### **SECTION .1200 - GENERAL PERMIT FOR CONSTRUCTION OF PIERS: DOCKS: AND BOAT HOUSES IN ESTUARINE AND PUBLIC TRUST WATERS**

##### **.1203 PERMIT FEE**

The applicant must pay a permit fee of fifty dollars (\$50.00) one hundred dollars (\$100.00) by check or money order payable to the Department.

*Authority* G.S. 113A-107(a); 113A-107(b); 113A-113(b); 113A-118.1; 113A-119; 113A-124.

#### **SECTION .1300 - GENERAL PERMIT TO MAINTAIN: REPAIR AND CONSTRUCT BOAT RAMPS ALONG ESTUARINE SHORELINES AND INTO ESTUARINE AND PUBLIC TRUST WATERS**

##### **.1303 PERMIT FEE**

The applicant must pay a permit fee of fifty dollars (\$50.00) one hundred dollars (\$100.00) by check or money order payable to the Department.

*Authority* G.S. 113A-107(a); 113A-107(b); 113A-113(b); 113A-118.1; 113A-119; 113A-124.

#### **SECTION .1400 - GENERAL PERMIT FOR CONSTRUCTION OF WOODEN GROINS IN ESTUARINE AND PUBLIC TRUST WATERS**

##### **.1403 PERMIT FEE**

The applicant must pay a permit fee of fifty dollars (\$50.00) one hundred dollars (\$100.00) by check or money order payable to the Department.

*Authority* G.S. 113A-107(a); 113A-107(b); 113A-113(b); 113A-118.1; 113A-119; 113A-124.

#### **SECTION .1500 - GENERAL PERMIT FOR EXCAVATION WITHIN OR CONNECTING TO EXISTING CANALS: CHANNELS: BASINS: OR DITCHES IN ESTUARINE WATERS: PUBLIC TRUST WATERS: AND ESTUARINE SHORELINE AEC'S**

##### **.1503 APPLICATION FEE**

The applicant must pay a permit fee of fifty dollars (\$50.00) one hundred dollars (\$100.00) by check or money order payable to the Department.

*Authority* G.S. 113A-107(a),(b); 113A-113(b); 113A-118.1; 113A-119; 113A-124.

#### **SECTION .1600 - GENERAL PERMIT FOR THE INSTALLATION OF AERIAL AND SUBAQUEOUS UTILITY LINES WITH ATTENDANT STRUCTURES IN COASTAL WETLANDS: ESTUARINE WATERS: PUBLIC TRUST WATERS AND ESTUARINE SHORELINES**

##### **.1603 PERMIT FEE**

The applicant must pay a permit fee of fifty dollars (\$50.00) one hundred dollars (\$100.00) by check or money order payable to the Department.

*Authority G.S. 113A-107(a)(b); 113A-113(b); 113A-118.1; 113A-119; 113-229(c).*

**SECTION .1800 - GENERAL PERMIT TO ALLOW BEACH BULLDOZING LANDWARD OF THE MEAN HIGH WATER MARK IN THE OCEAN HAZARD AEC**

**.1803 PERMIT FEE**

The applicant must pay a permit fee of fifty dollars (\$50.00) one hundred dollars (\$100.00) by check or money order payable to the Department.

*Authority G.S. 113A-107(a)(b); 113A-113(b); 113A-118.1; 113-229(c)(1).*

**SECTION .1900 - GENERAL PERMIT TO ALLOW FOR TEMPORARY STRUCTURES WITHIN ESTUARINE AND OCEAN HAZARD AECS**

**.1903 PERMIT FEE**

The applicant must pay a permit fee of fifty dollars (\$50.00) one hundred dollars (\$100.00) by check or money order payable to the Department.

*Authority G.S. 113A-107(a)(b); 113A-113(b); 113A-118.1; 113A-119; 113-229(c)(1).*

**SECTION .2000 - GENERAL PERMIT FOR AUTHORIZING MINOR MODIFICATIONS AND REPAIR TO EXISTING PIER/MOORING FACILITIES IN ESTUARINE AND PUBLIC TRUST WATERS**

**.2003 PERMIT FEE**

The applicant must pay a permit fee of fifty dollars (\$50.00) one hundred dollars (\$100.00) by check or money order payable to the Department.

*Authority G.S. 113A-107; 113A-118.1.*

**SECTION .2100 - GENERAL PERMIT FOR CONSTRUCTION OF MARSH ENHANCEMENT BREAKWATERS FOR SHORELINE PROTECTION IN ESTUARINE AND PUBLIC TRUST WATERS**

**.2103 PERMIT FEE**

The applicant must pay a permit fee of fifty dollars (\$50.00) one hundred dollars (\$100.00). This fee may be paid by check or money order made payable to the Department.

*Authority G.S. 113A-107; 113A-118.1.*

**SECTION .2200 - GENERAL PERMIT FOR CONSTRUCTION OF FREE STANDING MOORINGS IN ESTUARINE WATERS AND PUBLIC TRUST AREAS**

**.2203 PERMIT FEE**

The applicant must pay a permit fee of fifty dollars (\$50.00) one hundred dollars (\$100.00). This fee may be paid by check or money order made payable to the Department.

*Authority G.S. 113A-107; 113A-118.1; 113A-119.*

**SECTION .2300 - GENERAL PERMIT FOR REPLACEMENT OF EXISTING BRIDGES AND CULVERTS IN ESTUARINE WATERS, ESTUARINE SHORELINES, PUBLIC TRUST AREAS, AND COASTAL WETLANDS**

**.2303 PERMIT FEE**

The applicant shall pay a permit fee of fifty dollars (\$50.00) one hundred dollars (\$100.00). This fee may be paid by check or money order made payable to the Department.

*Authority G.S. 113A-107; 113A-118.1; 113A-119; 113A-124.*

**SUBCHAPTER 7J - PROCEDURES FOR HANDLING MAJOR DEVELOPMENT PERMITS: VARIANCE REQUESTS: APPEALS FROM MINOR DEVELOPMENT PERMIT DECISIONS: AND DECLARATORY RULINGS**

**SECTION .0200 - APPLICATION PROCESS**

**.0204 PROCESSING THE APPLICATION**

(a) On receipt of a CAMA major development and/or dredge and fill permit application by the Department, a letter shall be sent to the applicant within a reasonable time acknowledging receipt.

(b) Application processing will begin when an application is accepted as complete. Before an application will be accepted as complete, the following requirements must be met;

- (1) a current application form must be submitted;
- (2) all questions on the application form must be completed or the letters "N/A" must be placed in each section that does not apply;
- (3) an accurate work plan as described in 15A NCAC 7J .0203 herein must be attached to all CAMA major development and/or dredge and fill permit applications;
- (4) a copy of a deed or other instrument under which the applicant claims title must accompany a CAMA major development and/or dredge and fill permit application;
- (5) notice to adjacent riparian landowners must be given as follows:
  - (A) Certified return mail receipts (or copies

thereof) indicating that adjacent riparian landowners (as identified in the permit application) have been sent a copy of the application for the proposed development must be included in a CAMA major development and/or dredge and fill permit application. Said landowners have 30 days from the date of notification in which to comment. Such comments will be considered by the Department in reaching a final decision on the application.

(B) For CAMA minor development permits, the applicant must give actual notice of his intention to develop his property and apply for a CAMA minor development permit to all adjacent riparian landowners. Actual notice can be given by sending a certified letter, informing the adjoining property owner in person or by telephone, or by using any other method which satisfies the Local Permit Officers that a good faith effort has been made to provide the required notice;

(6) the application fee must be paid as set out in this Subparagraph:

(A) Major development permit - a check or money order payable to the Department for two hundred fifty dollars (\$250.00). Application fees shall be in the form of a check or money order payable to the Department. The application fee for private, non-commercial development shall be two hundred fifty dollars (\$250.00). The application fee for a public or commercial project shall be four hundred dollars (\$400.00).

(B) Minor development permit - a check or money order payable to the permit-letting agency in the amount of fifty dollars (\$50.00). Application fees shall be in the form of a check or money order payable to the permit-letting agency in the amount of one hundred dollars (\$100.00). Monies so collected may be used only in the administration of the permit program;

(7) any other information the Department or local permit officer deems necessary for a thorough and complete review of the application must be provided. Any application not in compliance with these requirements will be returned to the applicant along with a cover letter explaining the deficiencies of the application and will not be considered accepted until it is resubmitted and determined to be complete and sufficient. If a local permit officer receives an application for a permit that the local permit officer lacks authority to grant, the permit officer shall return the application with information as to how the application may be properly considered; and

(8) For development proposals subject to review under the North Carolina Environmental Policy Act (NCEPA), G.S. 113A-100 et. seq., the permit application will be complete only on submission of the appropriate environmental assessment document.

(c) Upon acceptance of a major development and/or dredge and fill permit as complete, the Department shall, within a reasonable time, send a letter to the applicant setting forth the data on which acceptance was made.

(d) If the application is found to be incomplete or inaccurate after processing has begun or if additional information from the applicant is necessary to adequately assess the project, the processing will be terminated pending receipt of the necessary changes or necessary information from the applicant. During the pendency of any termination of processing, the permit processing period will not run. If the changes or additional information significantly alters the project proposal, the application will be considered new and the permit processing period will begin to run from that date.

(e) Any violation occurring at a proposed project site for which an application is being reviewed will be processed according to the procedures in 15A NCAC 7J .0408 - 0410. If the violation substantially altered the proposed project site, and restoration is deemed necessary, the applicant will be notified that processing of the application will be suspended pending compliance with the notice of required restoration. Satisfactory restoration of any unauthorized development that has substantially altered a project site is deemed necessary to allow a complete review of the application and an accurate assessment of the project's potential impacts. The applicant will be notified that permit processing has resumed, and that a new processing deadline has been established once the required restoration has been deemed satisfactory by the Division of Coastal Management or Local Permit Officer.

(f) If during the public comment period a question is raised as to public rights of access across the subject property, the Division of Coastal Management will examine the access issue prior to making a permit decision. Any individual or governmental entity initiating action to judicially recognize a public right of access must obtain a court order to suspend processing of the permit application. Should the parties to legal action resolve the issue, permit processing will continue.

Authority G.S. 113A-119; 113A-119.1; 113A-122(c); 113A-124; 113-229.

## SECTION .0400 - FINAL APPROVAL AND ENFORCEMENT

### .0404 DEVELOPMENT PERIOD EXTENSION

(a) Where no development has been initiated during the development period, the permitting authority shall extend the authorized development period for no more than two years upon receipt of a signed and dated request from the applicant containing the following:

- (1) a statement of the intention of the applicant to complete the work within a reasonable time;
- (2) a statement of the reasons why the project will not be

- completed before the expiration of the current permit;
- (3) a statement that there has been no change of plans since the issuance of the original permit other than changes that would have the effect of reducing the scope of the project, or, previously approved permit modifications;
- (4) notice of any change in ownership of the property to be developed and a request for transfer of the permit if appropriate; and
- (5) a statement that the project is in compliance with all conditions of the current permit.

Where substantial development, either within or outside the AEC, has begun and is continuing on a permitted project, the permitting authority shall grant as many two year extensions as necessary to complete the initial development. Renewals for maintenance and repairs of previously approved projects may be granted for periods not to exceed 10 years.

(b) When an extension request has not met the criteria of Paragraph (a) of this Rule, the Department may circulate the request to the commenting state agencies along with a copy of the original permit application. Commenting agencies will be given three weeks in which to comment on the extension request. Upon the expiration of the commenting period the Department will notify the applicant promptly of its actions on the extension request.

(c) Notwithstanding Paragraphs (a) and (b) of this Rule, an extension request may be denied on making findings as required in either G.S. 113A-120 or G.S. 113-229(e). Changes in circumstances or in development standards will be considered and applied to the maximum extent practical by the permitting authority in making a decision on an extension request.

(d) The applicant for a major development extension request must submit, with the request, a check or money order payable to the Department in the sum of ~~fifty dollars (\$50.00)~~ one hundred dollars (\$100.00).

(e) Modifications to extended permits may be considered pursuant to 15A NCAC 7J .0405.

*Authority G.S. 113A-119; 113A-124(c)(8).*

#### **.0405 PERMIT MODIFICATION**

(a) An applicant may modify his permitted major development and/or dredge and fill project only after approval by the Department. In order to modify a permitted project the applicant must make a written request to the Department showing in detail the proposed modifications. Minor modifications may be shown on the existing approved application and plat. Modification requests which, in the opinion of the Department, are major will require a new application. Modification requests are subject to the same processing procedure applicable to original permit applications. A permit need not be circulated to all agencies commenting on the original application if the Commission determines that the modification is so minor that circulation would serve no purpose.

(b) Modifications to a permitted project which are imposed

or made at the request of the U.S. Army Corps of Engineers or other federal agencies must be approved by the Department under provisions of

Paragraph (a) of this Rule dealing with permit modification procedures.

(c) Simple modifications of certain projects for the benefit of private waterfront property owners which meet the following criteria will be considered minor modifications and will not require a new permit application, but must be approved under the provisions of Paragraph (a) of this Rule:

- (1) for bulkheads:
  - (A) Bulkhead must be positioned so as not to extend more than an average distance of two feet waterward of the mean high water contour; in no place shall the bulkhead be more than five feet waterward of the mean high water contour; and
  - (B) All backfill must come from an upland source; and
  - (C) No marsh area may be excavated or filled; and
  - (D) Work must be undertaken because of the necessity to prevent significant loss of private residential property due to erosion; and
  - (E) The bulkhead must be constructed prior to any backfilling activities; and
  - (F) The bulkhead must be constructed so as to prevent seepages of backfill materials through the bulkhead; and
  - (G) The bulkhead may not be constructed in the Ocean Hazard AEC;
- (2) for piers, docks and boathouses:
  - (A) The modification or addition may not be within 150 feet of the edge of a federally-maintained channel; and
  - (B) The structure, as modified, must be 200 feet or less in total length offshore; and
  - (C) The structure, as modified, must not extend past the four feet mean low water contour line (four feet depth at mean low water) of the waterbody; and
  - (D) The project as modified, must not exceed six feet in width; and
  - (E) The modification or addition must not include an enclosed structure; and
  - (F) The project will continue to be used for private, residential purposes;
- (3) for boatramps:
  - (A) The project, as modified, would not exceed 10 feet in width and 20 feet offshore; and
  - (B) The project will continue to be used for private, residential purposes.

(d) An applicant may modify his permitted minor development project only after approval by the local permit-letting authority. In order to modify a permitted project the applicant must make a written request to the local minor permit-letting authority showing in detail the proposed

modifications. The request shall be reviewed in consultation with the appropriate Division of Coastal Management field consultant and granted if all of the following provisions are met:

- (1) The size of the project is expanded less than 20 percent of the size of the originally permitted project; and
- (2) A signed, written statement is obtained from all adjacent riparian property owners indicating they have no objections to the proposed modifications; and
- (3) The proposed modifications are consistent with all local, state, and federal standards and local Land Use Plans in effect at the time of the modification requests; and
- (4) The type or nature of development is not changed.

Failure to meet these provisions will necessitate the submission of a new permit application.

(e) The applicant for a major permit modification must submit with the request a check or money order payable to the Department in the sum of fifty dollars (\$50.00) one hundred dollars (\$100.00) for a minor modification and two hundred fifty dollars (\$250.00) for a major modification.

*Authority G.S. 113A-119; 113A-124(c)(5); 113-229.*

#### **.0406 PERMIT ISSUANCE AND TRANSFER**

(a) Upon approval of an application and issuance of the permit, the permit shall be delivered to the applicant, or to any person designated by the applicant to receive the permit, by first class mail or any appropriate means.

(b) Anyone holding a permit may not assign, transfer, sell, or otherwise dispose of a permit to a third party.

(c) No right, privilege, or benefit under a permit may be transferred by levy or other judicial sale, and a permit subject to any such proceeding is null and void.

(d) A permit may be transferred to a new party at the discretion of the Director of the Division of Coastal Management upon finding each of the following:

- (1) a written request from the new owner or developer of the involved properties;
- (2) a deed, a sale, lease, or option to the proposed new party showing the proposed new party as having the sole legal right to develop the project;
- (3) that the applicant transferee will use the permit for the purposes for which it was issued;
- (4) no substantial change in conditions, circumstances, or facts affecting the project;
- (5) no substantial change or modification of the project as proposed in the original application.

(e) A person aggrieved by a decision of the Director as to the transfer of a permit may request a declaratory ruling by the Coastal Resources Commission as per 15A NCAC 7J .0600, et seq.

(f) The applicant for a permit transfer must submit with the request a check or money order payable to the Department in the sum of fifty dollars (\$50.00) one hundred dollars (\$100.00).

*Authority G.S. 113A-118(c); 113A-119(a).*

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**N**otice is hereby given in accordance with G.S. 150B-21.2 that the Coastal Resources Commission intends to amend the rules cited as 15A NCAC 7M .0307, .0401-.0403. Notice of Rule-making Proceedings was published in the Register on May 14, 1999 for 15A NCAC 7M .0307; and on August 14, 1998, November 2, 1998 and July 1, 1999 for 15A NCAC 7M .0401-.0403.

**Proposed Effective Date:** August 1, 2000

**A Public Hearing** will be conducted at 4:30 p.m. on November 18, 1999 at the Coast Line Convention Center, 501 Nutt Street, Wilmington, NC 28401.

#### **Reason for Proposed Action:**

**15A NCAC 7M .0307:** These amendments to the Public Beach and Coastal Waterfront Access Program will address eligibility criteria for the awarding of funds for the replacement of aging facilities at previously funded shorefront access sites.

**15A NCAC 7M .0401-.0403:** The amendments to the state's energy policies will enhance the state's authority to object to offshore energy proposals that may impact coastal resources or use for which inadequate information has been submitted regarding impacts.

#### **Comment Procedures:**

**15A NCAC 7M .0307:** Contact Mike Lopozanski, Division of Coastal Management, PO Box 27687, Raleigh, NC 27611-7687. Comments will be accepted through December 1, 1999.

**15A NCAC 7M .0401-.0403:** Contact Kim Crawford, Division of Coastal Management, PO Box 27687, Raleigh, NC 27611-7687. Comments will be accepted through December 1, 1999.

#### **Fiscal Impact**

State	Local Sub.	None	
✓	✓		<b>15A NCAC 7M .0307</b> ✓ <b>15A NCAC 7M .0401-.0403</b>

### **CHAPTER 7 - COASTAL MANAGEMENT**

#### **SUBCHAPTER 7M - GENERAL POLICY GUIDELINES FOR THE COASTAL AREA**

#### **SECTION .0300 - SHOREFRONT**

##### **.0307 ELIGIBLE APPLICANTS/GRANT SELECTION CRITERIA**

Any local government in the 20 coastal county region having ocean beaches, estuarine or public trust waters within its jurisdiction may apply for access funds:

- (1) Eligible projects include:
  - (a) Land acquisition, including acquisition of

- (b) unbbuildable lots;
- (c) Local Access Sites;
- (d) Neighborhood Access Sites;
- (e) Regional Access Sites;
- (f) Multi-regional Access Sites;
- (g) Urban waterfront development projects; and
- (h) Reconstruction or relocation of existing, damaged facilities; facilities; and
- (i) Reconstruction or replacement of aging facilities.

(2) The following general criteria will be used to select projects that may receive financial assistance. These criteria assist the Division of Coastal Management in carrying out the goals of this program. Other factors may also be considered in the funding decision:

- (a) Applicant demonstrates a need for the project due to a high demand for public access and limited opportunities;
- (b) Project is identified in a local beach or waterfront access plan;
- (c) Applicant has not received previous assistance from this grant program;
- (d) Applicant's commitment of matching funds exceeds the required local share of the total project cost provided in Item (3) of this Rule;
- (e) Project proposal includes multiple funding sources;
- (f) The project location includes donated land deemed unbbuildable due to regulations or physical limitations; and
- (g) Applicant has demonstrated its ability to complete previous projects successfully with funds from this grant program; program; and
- (h) Applicant has demonstrated its ability to operate and maintain facilities previously funded through this grant program.

(3) Local government contributions must be at least 25 percent of the project costs. At least one half of the local contribution must be cash match; the remainder may be in-kind match.

(4) Multi-phase projects and previous contingency projects will be considered on their own merits within the pool of applications being reviewed in that year.

*Authority G.S. 113A-124; 113A-134.3.*

## **SECTION .0400 - COASTAL ENERGY POLICIES**

### **.0401 DECLARATION OF GENERAL POLICY**

(a) It is hereby declared that the general welfare and public interest require that reliable sources of energy be made available to the citizens of North Carolina. It is further declared that the development of energy facilities and energy resources within the state and in offshore waters can serve important regional and national interests. However, unwise development of energy

facilities or energy resources can conflict with the recognized and equally important public interest that rests in conserving and protecting the valuable land and water resources of the state and nation, particularly coastal lands and waters. Therefore, in order to balance the public benefits attached to necessary energy development against the need to protect valuable coastal resources, the planning of future land uses, the exercise of regulatory authority, and determinations of consistency with the North Carolina Coastal Management Program shall assure that the development of energy facilities and energy resources shall avoid significant adverse impact upon vital coastal resources or uses, public trust areas and public access rights.

(b) Exploration for the development of offshore and Outer Continental Shelf (OCS) energy resources has the potential to affect coastal resources. The Federal Coastal Zone Management Act of 1972, as amended, requires that federal oil and gas leasing actions of the US Department of the Interior be consistent to the maximum extent practicable with the enforceable policies of the federally approved North Carolina Coastal Management Program: Program, and that exploration, development and production activities associated with such leases comply with those enforceable policies. Enforceable policies applicable to OCS activities include all the provisions and policies of this Rule, as well as any other applicable federally approved components of the North Carolina Coastal Management Program. All permit applications, plans and assessments related to exploration or development of OCS resources and other relevant energy facilities must contain sufficient information to allow adequate analysis of the consistency of all proposed activities with these Rules and policies.

*Authority G.S. 113A-102(b); 113A-107; 113A-124.*

### **.0402 DEFINITIONS**

(a) "Impact Assessment" is an analysis which fully discusses the potential environmental, economic and social consequences consequences, including cumulative and secondary impacts, of a proposed project. At a minimum, the assessment shall include the following information: and for each of the following shall discuss and assess any effects on any land or water use or natural resource of the coastal area, including the effects within the coastal area caused by activities outside the coastal area:

- (1) a full discussion of the preferred sites for those elements of the project affecting any land or water use or natural resource of the coastal area.
- (A) In all cases where the preferred site is located within an area of environmental concern (AEC) or on a barrier island, the applicant shall identify alternative sites considered and present a full discussion [in terms of Subparagraphs (a)(2) through (9) of this Rule] of the reasons why the chosen location was deemed more suitable than another feasible alternate site.
- (B) If the preferred site is not located within an AEC or on a barrier island, the applicant shall

present reasonable evidence to support the proposed location over a feasible alternate site.

(C) In those cases where an applicant chooses a site previously identified by the state as suitable for such development and the site is outside an AEC or not on a barrier island, alternative site considerations shall not be required as part of this assessment procedure;

(2) a full discussion of the economic impacts, both positive and negative, of the proposed project. This discussion shall focus on economic impacts to the public, not on matters that are purely internal to the corporate operation of the applicant. No proprietary or confidential economic data shall be required. This discussion shall include analysis of likely adverse impacts upon the ability of any governmental unit to furnish necessary services or facilities as well as other secondary impacts of significance;

(3) a full discussion of potential adverse impacts on estuarine or coastal resources resources, including marine and estuarine resources and wildlife resources, as defined in G.S. 113-129;

(4) a full discussion of potential adverse impacts on existing industry and potential limitations on the availability of natural resources, particularly water, for future industrial development;

(5) a full discussion of potential significant adverse impacts on recreational uses and scenic, archaeological and historic resources;

(6) a full discussion of potential risks of danger to human life or property;

(7) a full discussion of the procedures and time needed to secure an energy facility in the event of severe weather conditions, such as extreme wind, currents and waves due to northeasters and hurricanes;

(7) (8) other specific data necessary for the various state and federal agencies and commissions with jurisdiction to evaluate the consistency of the proposed project with relevant standards and guidelines;

(8) (9) a specific demonstration that the proposed project is consistent with relevant local land use plans and with guidelines governing land uses in AECs.

If appropriate environmental documents are prepared and reviewed under the provisions of the National Environmental Policy Act (NEPA) or the North Carolina Environmental Policy Act (NCEPA), this review will satisfy this definition of "impact assessment" if all issues listed in this Rule are addressed and these documents are submitted in sufficient time to be used to review state permit applications for the project or subsequent consistency determinations:

Any impact assessment for a proposal for oil or gas exploration activities shall include a full discussion of the items described in Subparagraphs (a)(1) through (9) of this Rule for associated exploration activity, including all reasonably foreseeable exploration wells and any delineation activities that are reasonably likely to follow a discovery of oil or gas.

(b) "Major energy facilities" are those energy facilities which

because of their size, magnitude or scope of impacts, have the potential to affect any land or water use or natural resource of the coastal area. For purposes of this definition, major energy facilities shall include, but are not necessarily limited to, the following:

- (1) Any facility capable of refining oil;
- (2) Any terminals (and associated facilities) capable of handling, processing, or storing liquid propane gas, liquid natural gas, or synthetic natural gas;
- (3) Any oil or gas storage facility that is capable of storing 15 million gallons or more on a single site;
- (4) Electric generating facilities 300 MGW or larger;
- (5) Thermal energy generation;
- (6) Major pipelines 12 inches or more in diameter that carry crude petroleum, natural gas, liquid natural gas, liquid propane gas, or synthetic gas;
- (7) Structures, including drillships and floating platforms and structures relocated from other states or countries, located in offshore waters for the purposes of exploration for, or development or production of, oil or natural gas; and
- (8) Onshore support or staging facilities related to exploration for, or development or production of, oil or natural gas.

(c) "Offshore waters" are those waters seaward of the state's three-mile offshore jurisdictional boundary in which development activities may impact any land or water use or natural resource of the state's coastal area.

Authority G.S. 113A-102(b); 113A-107; 113A-124.

#### 0403 POLICY STATEMENTS

(a) The placement and operations of major energy facilities in or affecting any land or water use or natural resource of the North Carolina coastal area shall be done in a manner that allows for protection of the environment and local and regional socio-economic goals as set forth in the local land-use plan(s) and State guidelines in 15A NCAC 7H and 7M. The placement and operation of such facilities shall be consistent with established state standards and rules and shall comply with local land use plans and with guidelines for land uses in AECs.

(b) Proposals, plans and permit applications for major energy facilities to be located in or affecting any land or water use or natural resource of the North Carolina coastal area shall include a full disclosure of all costs and benefits associated with the project. This disclosure shall be prepared at the earliest feasible stage in planning for the project and shall be in the form of an impact assessment prepared by the applicant as defined in 15A NCAC 7M .0402. If appropriate environmental documents are prepared and reviewed under the provisions of the National Environmental Policy Act (NEPA) or the North Carolina Environmental Policy Act (NCEPA), this review will satisfy the definition of "impact assessment" if all issues listed in this Rule are addressed and these documents are submitted in sufficient time to be used to review state permit applications for the project or subsequent consistency determinations.

(c) Local governments shall not unreasonably restrict the

development of necessary energy facilities; however, they may develop siting measures that will minimize impacts to local resources and to identify potential sites suitable for energy facilities.

(d) Energy facilities that do not require shoreline access shall be sited inland of the shoreline areas. In instances when shoreline portions of the coastal zone area are necessary locations, shoreline siting shall be acceptable only if it can be demonstrated that coastal resources and public trust waters will be adequately protected, the public's right to access and passage will not be unreasonably restricted, and all reasonable mitigating measures have been taken to minimize impacts to AECs.

(e) The scenic and visual qualities of coastal areas shall be considered and protected as important public resources. Energy development shall be sited and designed to provide maximum protection of views to and along the ocean, sounds and scenic coastal areas, and to minimize the alteration of natural landforms.

(f) All energy facilities in or affecting any land or water use or natural resource of the coastal area shall be sited and operated so as to be consistent comply with the following criteria: to the maximum extent practicable.

- (1) Risks of environmental harm to fish spawning areas, in or affecting the coastal area, shall be assessed and minimized: Adverse impacts on resources of the coastal area, including marine and estuarine resources and wildlife resources, as defined in G.S. 113-129, and adverse impacts on land or water uses in the coastal area shall be avoided unless site specific information demonstrates that there will be no adverse impacts on land or water uses or natural resources of the coastal area.
- (2) Risks of environmental harm to coastal resources and uses shall be assessed and minimized. Necessary data and information required by the state for state permits and federal consistency reviews, pursuant to 15 CFR part 930, shall completely assess the risks of oil spills, evaluate possible trajectories, and enumerate response and mitigation measures employing the best available technology to be followed in the event of a spill. The information must demonstrate that the potential for oil spills and ensuing damage to coastal resources has been minimized and shall factor environmental conditions, currents, winds, and inclement events such as northeasters and hurricanes, in trajectory scenarios. For facilities requiring an Oil Spill Contingency Response Plan, this information shall be included in such a plan.
- (3) Dredging, spoil disposal and construction of related structures that are reasonably likely to affect any land or water use or natural resource of the coastal area shall be minimized, and any unavoidable actions of this sort shall minimize damage to the marine environment.
- (4) Damage to or interference with existing or traditional uses, such as fishing, navigation and access to public trust areas, and areas with high biological or recreational value, shall be avoided to the extent that such damage or interference is reasonably likely to affect any land or water use or natural resource of the coastal area.

- (5) Placement of structures in geologically unstable areas, such as unstable sediments and active faults, shall be avoided to the extent that damage to such structures resulting from geological phenomena is reasonably likely to affect any land or water use or natural resource of the coastal area.
- (6) Wildlife destruction or relocation shall be assessed and minimized to the extent that such destruction or relocation is reasonably likely to affect any land or water use or natural resource of the coastal area. Procedures necessary to secure an energy facility in the event of severe weather conditions, such as extreme wind, currents and waves due to northeasters and hurricanes, shall be initiated sufficiently in advance of the commencement of severe weather to ensure that adverse impacts on any land or water use or natural resource of the coastal area shall be avoided.
- (7) Adverse impacts on species identified as threatened or endangered on Federal or State lists shall be avoided.
- (8) Major energy facilities are not appropriate uses in fragile or historic areas, and other areas containing environmental or natural resources of more than local significance, such as parks, recreation areas, wildlife refuges, and historic sites.
- (9) No energy facilities shall be sited in areas where they pose a threat to the integrity of the facility and surrounding areas, such as ocean front areas with high erosion rates, areas having a history of overwash or inlet formation, and areas in the vicinity of existing inlets.
- (10) In the siting of energy facilities and related structures, the following areas shall be avoided: to the maximum extent practicable:
  - (A) areas of high biological significance, including offshore reefs, rock outcrops and hard bottom areas, sea turtle nesting beaches, freshwater and saltwater wetlands, primary or secondary nursery areas: areas and essential fish habitat-habitat areas of particular concern as designated by the appropriate fisheries management agency, submerged aquatic vegetation beds, shellfish beds, anadromous fish spawning and nursery areas, and colonial bird nesting colonies;
  - (B) major tracts of maritime forest and other important natural areas as identified by the North Carolina Natural Heritage Program;
  - (C) crossings of streams, rivers, and lakes except for existing readily-accessible corridors;
  - (D) anchorage areas and congested port areas;

- (E) artificial reefs, shipwrecks, and submerged archaeological resources;
- (F) dump sites;
- (G) areas of large dunes or well-developed frontal dune systems;
- (H) heavily developed and heavily used recreation areas.

(11) Where impacts on these areas cannot be avoided, and the impact affects any land or water use or natural resource of the coastal area, damage shall be mitigated to the maximum extent practicable, and affected areas shall be restored to their original functions pursuant to a plan of reclamation, which must be a part of the consistency determination or permit.

(11) (12) Construction of energy facilities shall occur only during periods of lowest biological vulnerability. Nesting and spawning periods shall be avoided.

(12) (13) If facilities located in the coastal area are abandoned, habitat of equal value to or greater than that existing prior to construction shall be restored as soon as practicable following abandonment. For abandoned facilities outside the coastal area, habitat in the areas shall be restored to its preconstruction state and functions as soon as practicable if the abandonment of the structure is reasonably likely to affect any land or water use or natural resource of the coastal area.

Box 25201, Raleigh, NC 27611 by December 1, 1999.

**Fiscal Impact**

State      Local Sub.      None

✓

**CHAPTER 2 - DIVISION OF HIGHWAYS**

**SUBCHAPTER 2E - MISCELLANEOUS OPERATIONS**

**SECTION .0200 - OUTDOOR ADVERTISING**

**.0201      DEFINITIONS FOR OUTDOOR ADVERTISING CONTROL**

(a) Commercial or Industrial Activities for Unzoned Areas mean those activities generally recognized as commercial or industrial by zoning authorities in the state.

- (1) Any commercial or industrial activity shall meet all of the following criteria to qualify an area unzoned commercial or industrial for the purpose of outdoor advertising control:
  - (A) The activity shall have all privilege license(s) required by local, state, or federal authorities as required by law;
  - (B) The property used for the activity shall be listed for ad valorem taxes with the county and municipal taxing authorities as required by law;
  - (C) The activity shall be served by available utilities (power, telephone, water, and sewer);
  - (D) The activity shall have direct or indirect vehicular access and be a generator of vehicular traffic;
  - (E) The activity shall have a permanent building designed, built or modified for its current commercial or industrial use, and the building must be located within 660 feet from the nearest edge of the right of way;
  - (F) There shall be commercial or industrial activity at the location six months before the area qualifies for sign(s);
  - (G) Employee(s) shall be on site during normal working hours which are considered usual, normal, and customary for that type activity;
  - (H) There shall be a frequency of operations which is considered usual, normal and customary for that type commercial or industrial operation; and
  - (I) The activity shall be visible and recognizable as commercial or industrial.
- (2) For the purpose of controlling outdoor advertising, none of the following activities shall be commercial or industrial:
  - (A) Outdoor advertising structures;
  - (B) Agricultural, forestry, ranching, grazing, farming, and related activities, including, but

Authority G.S. 113A-102(b); 113A-107; 113A-124.

**TITLE 19A - DEPARTMENT OF TRANSPORTATION**

**N**otice is hereby given in accordance with G.S. 150B-21.2 that the NC Department of Transportation - Division of Highways intends to adopt the rules cited as 19A NCAC 2E .0224-.0225, amend the rules cited as 19A NCAC 2E .0201-.0203, .0206, .0208-.0214, .0603-.0604. Notice of Rule-making Proceedings was published in the Register on August 2, 1999.

**Proposed Effective Date:** August 1, 2000

**A Public Hearing** will be conducted at 3:00 p.m. and 7:00 p.m. on November 16, 1999 at the Highway Building Auditorium, 1 South Wilmington Street, Raleigh, NC 27611.

**Reason for Proposed Action:** Rules are proposed for amendment or adoption to clarify ambiguities in the current Outdoor Advertising rules. The changes will simplify the permitting processes and administration of the program. The proposed changes will improve the overall effectiveness of the Outdoor Advertising Program.

**Comment Procedures:** Any interested person may submit written comments on the proposed rules by mailing the comments to Emily Lee, NC Department of Transportation, PO

not limited to temporary wayside fresh produce stands;

- (E) Transient or temporary activities;
- (D) Activities not visible from the main traveled way;
- (E) Activities more than 660 feet from the nearest edge of the right of way;
- (F) Activities conducted in a building principally used as a residence;
- (G) Railroad tracks and minor sidings;
- (H) Any outdoor advertising activity or any other business or commercial activity carried on in connection with an outdoor advertising activity;
- (I) Any activity which is seasonal or not in operation for the twelve continuous months immediately preceding the application for an outdoor advertising permit;
- (J) Illegal junkyards, as defined in GS 136-146, and nonconforming junkyards as set out in GS 136-147.

(b) Zoned Commercial or Industrial Areas means those areas which are zoned for business, industry, commerce, or trade pursuant to a state or local zoning ordinance or regulation.

(c) Unzoned Commercial or Industrial Areas means those areas which are not zoned by state or local law, regulation, or ordinance, and which are within 660 feet of the nearest edge of the right-of-way of the interstate or federal-aid primary system in which there are located one or more permanent structures devoted to a commercial or industrial activity or on which a commercial or industrial activity is actually conducted, and the area along the highway extending outward 800 feet from and beyond the edge of such activity. Each side of the interstate or federal-aid primary route shall be considered separately. All measurements shall begin from the outer edges of regularly used buildings, parking lots, storage or processing areas of the commercial or industrial activities, not from the property line of the activities, and shall be along the edge of pavement of the highway.

(d) Main Traveled Way and Traveled Way mean part of a highway on which through traffic is carried. In the case of a divided highway, the traveled way of each of the separated roadways for traffic in opposite directions is a traveled way. It does not include frontage roads, turning roadways, or parking areas.

(e) Sign means any outdoor sign, outdoor advertising sign structure, display, light, device, figure, painting, drawing, message, placard, poster, billboard, or other object which is designed, intended, or used to advertise or inform or any part of the advertising or information which is visible from any part of the main-traveled way of the interstate or federal-aid primary highway system.

(f) Scenic Area means any area of particular beauty or historical significance as determined by the federal, state, or local officials having jurisdiction thereof, and includes interests in land which have been acquired for the restoration,

preservation and enhancement of beauty.

(g) Parkland means any publicly owned land which is designated or used as a public park, recreation area, wildlife or waterfowl refuge or historic site.

(h) Freeway means a divided arterial highway for through traffic with full control of access.

(i) Directional and Other Official Signs and Notices include public utility signs, service club and religious notices, and public service signs.

(j) Official Signs and Notices mean signs and notices erected and maintained by public officers or public agencies within their territorial or zoning jurisdictions and pursuant to and in accordance with federal, state, or local law for the purpose of carrying out an official duty or responsibility. Historical markers authorized by state law and erected by state or local government agencies or nonprofit historical societies may be considered official signs.

(k) Public Utility Signs mean warning signs, informational signs, notices, or markers which are customarily erected and maintained by publicly or privately owned public utilities, as essential to their operations.

(l) Service Club and Religious Notices mean signs and notices authorized by law which relate to meetings of nonprofit service clubs, charitable associations, or religious services. These signs shall not exceed eight square feet in area.

(m) Public Service Signs means signs located on school bus stop shelters which:

- (1) Identify the donor, sponsor or contributor of said shelters;
- (2) Contain no other message; and
- (3) Are located on school bus shelters which are authorized or approved by city, county, or state law, regulation, or ordinance, and at places approved by the city, county, or state agency controlling the highway involved;
- (4) Public Service Signs contain safety slogans or messages which shall occupy not less than 60 percent of the area of the sign. Public Service Signs may not exceed 32 square feet in area. Not more than one sign on each shelter shall face in any one direction.

(n) Directional Signs mean signs containing directional information about public places owned or operated by federal, state, or local governments or their agencies, publicly or privately owned natural phenomena, historic, cultural, scientific, educational, and religious sites, and areas of natural scenic beauty or naturally suited for outdoor recreation, deemed to be in the interest of the traveling public.

(o) Controlled-Access Highway means highway on which entrance and exit accesses are permitted only at designated points.

(p) On-premise Sign means a sign which advertises the sale or lease of property upon which it is located or advertises activities conducted on the property upon which it is located. An on-premise sign may not be converted to a permitted outdoor advertising structure unless it meets all rules in effect at the time of the request for conversion.

(q) Lease means an agreement, in writing, by which possession or use of land or interests therein is given by the owner to another person for a specified period of time.

(r) Blank Sign means a sign face which contains no advertising message or which contains a message advertising its availability.

(s) Abandoned Sign means a sign in which the sign owner no longer has an interest. Absence of a valid lease is one indication of an abandoned sign.

(t) Destroyed Sign means a sign no longer in existence due to factors other than vandalism or other criminal or tortious acts. Examples are a sign which has been completely blown down by the wind or a sign which has been significantly damaged. A significantly damaged sign is a sign with damages estimated by the appropriate district engineer to exceed 50 percent of the sign structure.

(u) Sign Conforming by Virtue of the "Grandfather Clause" means a sign legally erected prior to the effective date of the Outdoor Advertising Control Act in a zoned or unzoned commercial or industrial area which does not meet the standards for size, spacing and lighting passed at a later date.

(v) Conforming Sign means a sign legally erected in a zoned or unzoned commercial or industrial area which meets all current standards for size, spacing and lighting.

(w) An existing sign shall be considered dilapidated when it is in disrepair, shabby or neglected, when it fails to be in the same form as originally constructed, or when it fails to perform its intended function of conveying a message. Conditions of dilapidation shall include, but not be limited to, structural support failure, signs not held as originally constructed, panels or borders missing or falling off, intended messages cannot be interpreted by the motoring public, or signs which are overgrown by vegetation.

(x) Visible commercial or industrial activity means an activity that is clearly seen from the main-traveled way without visual aid by a person of normal visual acuity traveling at the posted speed and which is recognizable year-round as a commercial or industrial activity.

(y) A sign location, for permitting purposes, shall be measured at the closest 1/100th of a mile, in conformance with Department of Transportation methods of measurement for all state roads.

(z) This Rule defines terms used in Articles 11 and 11A of Chapter 136 of the General Statutes and this Section.

In addition to the definitions set forth in G.S. 136-128, the following definitions shall apply for purposes of outdoor advertising control:

- (1) Abandoned Sign: A sign that is not being maintained as required by the rules. The absence of a valid lease is one indication of an abandoned sign. An outdoor advertising sign structure shall be considered to be abandoned if for a period of twelve (12) months the sign has been without a message, contains obsolete advertising matter, or is in need of substantial repairs.
- (2) Automatic Changeable Facing Sign: A sign, display, or device which changes the message or copy on the sign facing electronically by movement or rotation of

panels or slats.

(3) Blank Sign: A sign structure on which all faces contain no message, or which contains only a telephone number advertising its availability.

(4) Comprehensive Zoning: Zoning by local zoning authorities of each parcel of land under the jurisdiction of the local zoning authority placed in a zoning classification pursuant to a comprehensive plan, or reserved for future classification.

- (a) A comprehensive plan means a development plan which guides decisions by the local zoning authority relating to zoning and the growth and development of the area.
- (b) Even if comprehensively enacted, the following criteria shall determine whether such zoning is enacted primarily to permit outdoor advertising:
  - (i) The zoning classification provides for limited commercial or industrial activity only incidental to other primary land uses.
  - (ii) The commercial or industrial activities are permitted only by variance or special exceptions; or
  - (iii) The zoning constitutes spot or strip zoning. "Spot zoning" or "strip zoning" is zoning designed primarily for the purpose of permitting outdoor advertising signs in an area which would not normally permit outdoor advertising.

(5) Conforming Sign: A sign legally erected in a zoned or unzoned commercial or industrial area which meets all current legal requirements for erecting a new sign at that site.

(6) Controlled Access Highway: A highway on which entrance and exit accesses are permitted only at designated points.

(7) Controlled Route: Any interstate or federal-aid primary highway as it existed on June 1, 1991, and/or any highway which is or becomes a part of the National Highway System (NHS).

(8) Destroyed Sign: A sign no longer in existence due to factors other than vandalism or other criminal or tortious acts. An example of a destroyed sign includes a sign which has been blown down by the wind or a sign which has been significantly damaged.

(9) Dilapidated Sign: A sign which is shabby, neglected, or in disrepair, or which fails to be in the same form as originally constructed, or which fails to perform its intended function of conveying a message. Characteristics of a dilapidated sign include, but are not limited to, structural support failure, a sign not supported as originally constructed, panels or borders missing or falling off, intended messages cannot be interpreted by the motoring public, or a sign which is blocked by overgrown vegetation outside the highway

right of way.

(10) Directional Sign: A sign which contains directional information about public places owned or operated by federal, state, or local governments or their agencies; publicly or privately owned natural phenomena, historic, cultural, scientific, educational, and religious sites; and areas of natural scenic beauty or naturally suited for outdoor recreation, deemed to be in the interest of the traveling public. Directional and other official signs and notices include, but are not limited to, public utility signs, service club and religious notices, or public service signs.

(a) Public Service Sign: A sign located on a school bus stop shelter which meets all the following requirements:

- (i) identifies the donor, sponsor or contributor of said shelter;
- (ii) is located on a school bus shelter which is authorized or approved by city, county, or state law, regulation, or ordinance, and at places approved by the city, county, or state agency controlling the highway involved;
- (iii) contains only safety slogans or messages which shall occupy not less than 60 percent of the area of the sign;
- (iv) does not exceed 32 square feet in area; and
- (vi) contains not more than one sign facing in any one direction.

(b) Public Utility Sign: A warning sign, informational sign, notice or other marker customarily erected and maintained by publicly or privately owned utilities, which are essential to their operations.

(c) Service Club and Religious Notices: Any sign or notice authorized by law which relates to meetings of nonprofit service clubs, charitable associations, or religious services. These signs shall not exceed eight square feet in area.

(11) Discontinued Sign: A sign no longer in existence. A discontinued sign includes a sign of which any part of a sign face is missing more than 180 days. In some cases, a sign may be both discontinued and dilapidated.

(12) Freeway: A divided arterial highway for through traffic with full control of access.

(13) Highway: A highway that is designated as a part of the interstate or federal-aid primary highway system as of June 1, 1991, or any highway which is or becomes a part of the National Highway System. A highway shall be a part of the National Highway System on the date the location of the highway has been approved finally by the appropriate federal authorities.

(14) Lease: An agreement in writing, by which possession or use of land or interests therein is given for a specified purpose and period of time, and which is a valid contract under North Carolina laws.

(15) Main Traveled Way or Traveled Way: Part of a highway on which through traffic is carried, exclusive of paved shoulders. In the case of a divided highway, the traveled way of each of the separated roadways for traffic in opposite directions is a traveled way. It does not include frontage roads, turning roadways, or parking areas.

(16) Nonconforming Sign: A sign which was lawfully erected but which does not comply with the provisions of State law or rules passed at a later date or which later fails to comply with State law or rules due to changed conditions. For purposes of the outdoor advertising rules, nonconforming signs also include those signs which have become nonconforming pursuant to 19A NCAC 02E .1002(d) on scenic byways which were part of the interstate or federal-aid primary highway system as of June 1, 1991, or which are or become a part of the National Highway System.

(17) Official Sign/Notice: A sign or notice erected and maintained by public officers or public agencies within their territorial or zoning jurisdictions and pursuant to and in accordance with federal, state, or local law for the purpose of carrying out an official duty or responsibility. Official signs and notices include, but are not limited to, historical markers authorized by state law and erected by state or local government agencies or nonprofit historical societies.

(18) On-premise/On-property Sign: A sign which advertises the sale or lease of property upon which it is located or which advertises an activity conducted or product for sale on the property upon which it is located. An on-premise sign may not be converted to a permitted outdoor advertising sign unless it meets all rules in effect at the time of the conversion request. An on-premise sign must be located on property contiguous to the property on which the activity is located. Tracts not considered to be contiguous include, but are not limited to:

- (a) Tracts of land separated by a federal, state, city, or public access maintained road;
- (b) Tracts of land not under common ownership; or
- (c) Tracts of land held in different estates or interests.

(19) Parkland: Any publicly owned land which is designated or used as a public park, recreation area, wildlife or waterfowl refuge or historic site.

(20) Permit Holder: A permit holder shall be the sign owner, and for purposes of the rules in this Section the terms and definitions shall be interchangeable, unless the Department of Transportation, through the appropriate district office, has been notified in writing

that the permit holder is a person or entity other than the actual owner of the sign. In this case, the actual sign owner's name, mailing address, and telephone number must be declared.

(21) Scenic Area: Any area of particular beauty or historical significance as determined by the federal, state, or local official having jurisdiction thereof, and includes interests in land which have been acquired for the restoration, preservation and enhancement of beauty.

(22) Scenic Byway: A scenic highway or scenic byway designated by the Board of Transportation, regardless of whether the route so designated was part of the interstate or federal-aid primary highway system as of June 1, 1991, or any highway which is or becomes a part of the National Highway System.

(23) Sign: Any outdoor sign, sign structure, display, light, device, figure, painting, drawing, message, placard, poster, billboard, or other object which is designed, intended, or used to advertise or inform. A sign includes any of the parts or material of the structure, such as beams, poles, posts, and stringers, the only eventual purpose of which is to ultimately display a message or other information for public view. For purposes of these rules, the term "sign" and its definition shall be interchangeable with the following terms: outdoor advertising, outdoor advertising sign, outdoor advertising structure, outdoor advertising sign structure, sign structure, and structure.

(24) Sign Conforming by Virtue of the "Grandfather Clause": A sign legally erected prior to the effective date of the Outdoor Advertising Control Act or prior to the addition of a route to the interstate or federal-aid primary system or NHS in a zoned or unzoned commercial or industrial area which does not meet all current standards for erecting a new sign at that site.

(25) Sign Face: The part of the sign, including trim and background, which contains the message or informative contents. For purposes of measuring the maximum area or height of a sign, embellishments or extended advertising shall be excluded.

(26) Sign Location/Site: A sign location or site for purposes of these rules shall be measured to the closest 1/100th of a mile, in conformance with Department of Transportation methods of measurement for all state roads. The location or site shall be determined and listed on each outdoor advertising permit application by DOT personnel.

(27) Sign Owner: A sign owner shall be the permit holder of record, and for purposes of the rules in this Section the terms and definitions shall be interchangeable, unless the Department of Transportation, through the appropriate district office, has been notified in writing that the sign owner is a person or entity other than the actual holder of the permit. In this case, the actual sign owner's name, mailing address, and telephone number must be declared.

(28) Significantly Damaged Sign: A sign which has been damaged or partially destroyed due to factors other than vandalism or other criminal or tortious acts to such extent that the cost of repairing the damaged sign exceeds 50 percent of the replacement cost of the sign as determined at the time such damage occurred.

(29) Unzoned Commercial or Industrial Area: An area which is not zoned by state or local law, regulation, or ordinance, and which is within 660 feet of the nearest edge of the right of way of the interstate or federal-aid primary system or NHS, in which there are at least two commercial or industrial activities that meet all requirements specified in 19A NCAC 02E.0203(5).

(30) Zoned Commercial or Industrial Area: An area which is zoned for business, industry, commerce, or trade pursuant to a state or local zoning ordinance or regulation. Local zoning action must be taken pursuant to the state's zoning enabling statute or constitutional authority in accordance therewith. Zoning which is not part of comprehensive zoning or which is created primarily to permit outdoor advertising structures shall not be recognized as valid zoning for purposes of the Outdoor Advertising Control Act and the rules promulgated thereunder, unless the land is developed for commercial or industrial activity as defined under 19A NCAC 02E.0203(5).

Authority G.S. 136-130.

#### .0202 AGREEMENT

(a) The Department of Transportation has entered into an agreement with the United States Department of Transportation relating to the control of outdoor advertising in areas adjacent to the interstate and federal-aid primary highway systems or NHS in accordance with Section 131(b), and Section 104 of Title 23 of the United States Code and Part 750 of Title 23 of the Code of Federal Regulations. To the extent that these federal regulations and subsequent amendments and editions are more restrictive than North Carolina Department of Transportation rules, these federal regulations are expressly incorporated by reference as part of this section. Copies of Title 23 of the United States Code are available from the Superintendent of Documents, Mail Stop SSOP, Washington, D.C. 20402-9328, 20402-9328, at a cost of fifty seven dollars (\$57.00). The Code of Federal Regulations, Title 23, is available from the same address, address at a cost of twenty one dollars (\$21.00).

(b) A copy of this agreement is on permanent file in the Office of the State Highway Administrator.

Authority G.S. 136-138; 143B-350(f); 150B-21.6.

#### .0203 OUTDOOR ADVERTISING ON CONTROLLED ROUTES

The following standards shall apply to the erection and maintenance of outdoor advertising signs in all zoned and unzoned commercial and industrial areas located within 660 feet

of the nearest edge of the right of way of the controlled route, interstate and federal-aid primary highways. The standards shall not apply to those signs enumerated in G.S. 136-129(1),(2), (2a) and (3), which are directional and other official signs and notices, signs advertising the sale or lease of property upon which they are located, signs advertising the sale of crops at roadside stands, and signs which advertise activities conducted on the property upon which they are located: located.

(1) Configuration and Size of Signs:

- (a) The maximum area for any one sign shall be 1,200 square feet with a maximum height of 30 feet and maximum length of 60 feet, inclusive of any border and trim but excluding the base or apron, embellishments, extended advertising space, supports, and other structural members.
- (b) The area shall be measured by the smallest square, rectangle, triangle, circle, or combination thereof which will encompass the entire sign, calculated by measuring the outside dimensions of face, excluding any apron, embellishments, or extended advertising space.
- (c) The maximum size limitations shall apply to each side of a sign structure; the signs may be placed back-to-back, side-by-side; or in V-type construction with not more than two displays to each facing, and such sign structure shall be considered as one sign.
- (d) Side-by-side signs shall be structurally tied together to be considered as one sign structure.
- (e) V-type and back-to-back signs shall not be considered as one sign if located more than 15 feet apart at their nearest points.
- (f) The height of any portion of the sign structure structure, excluding cutouts or embellishments, shall not exceed 50 feet as measured vertically from the adjacent edge of pavement of the adjacent main traveled way. way shall not exceed 50 feet.
- (g) Double-decking of sign faces so that one is on top of the other is prohibited.

(2) Spacing of Signs:

- (a) Interstate and Federal-aid Primary Highways. Signs may not be located in a manner as to obscure, or otherwise physically interfere with the effectiveness of any official traffic sign, signal, or device, or to obstruct or physically interfere with the driver's view of approaching, merging, or intersecting traffic.
- (b) Interstate highways and freeways on the federal-aid primary system: Controlled Routes with Fully Controlled Access (Freeways):
  - (i) No two structures shall be spaced less than 500 feet apart.
  - (ii) Outside of incorporated towns and cities, no structure may be located within 500 feet of an interchange.

collector distributor, intersection at grade, safety rest area or information center regardless of whether the city limit includes the main traveled way is within or outside the town or city limits. way. The 500 feet spacing shall be measured from the point at which the pavement widens and the direction of measurement shall be along the edge of pavement away from the interchange, collector distributor, intersection at grade, safety rest area or information center. In those interchanges where a quadrant does not have a ramp, the 500 feet for the quadrant without a ramp shall be measured along the outside edge of pavement for freeways the interstate or freeway highway as follows:

(A) Where a route is bridged over the freeway or interstate highway; a freeway, the 500 foot measurement shall begin on the outside edge of pavement of the freeway highway or interstate at a point directly below the edge of the bridge. The direction of measurement shall be along the edge of pavement away from the interchange.

(B) Where a freeway or interstate highway is bridged over another route, the 500 foot measurement shall be made from the end of the bridge in the quadrant. The direction of measurement shall be along the edge of pavement away from the bridge.

(C) Where the routes involved are both freeways, freeway or interstate routes, measurements on both routes shall be made according to (1) and/or (2); Sub-item (2)(b)(i) or (ii), whichever applies. Should there be a situation where there is more than one point at which the pavement widens along each road within a quadrant, the measurement shall be made from the pavement widening which is furthest farthest from the intersecting roadways.

(c) Non-freeway federal-aid primary highways: Controlled Routes Without Fully Controlled Access:

- (i) Outside of incorporated towns and cities --no two structures shall be spaced less than 300 feet apart.
- (ii) Within incorporated towns and cities -- no two structures shall be spaced less than 100 feet apart.
- (d) The foregoing provisions for the spacing of signs do not apply to structures separated by buildings or other obstructions in such a manner that only one sign facing located within the above spacing distances is visible from the highway at any one time.
- (e) Official and "on-premise" signs, as permitted under the provisions of G.S. 136-129(I)(2), (2a) and to (3), and structures that are not lawfully maintained shall not be counted included nor shall measurements be made from them for purposes of determining compliance with spacing requirements.
- (f) The minimum distance between structures shall be measured along the nearest edge of the pavement between points directly opposite the signs along each side of the highway and shall apply only to structures located on the same side of the highways.

(3) Lighting of Signs: Restrictions:

- (a) Signs which contain, include, or are illuminated by any flashing, intermittent, or moving light or lights including animated or scrolling advertising, are prohibited, unless expressly allowed under Item 4 of this Rule, except those giving public service information such as time, date, temperature, weather, or similar information.
- (b) Signs which are not effectively shielded as to prevent beams or rays of light from being directed at any portion of the traveled ways of the interstate or federal-aid primary highway and which are of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle, or which otherwise interfere with the any driver's operation of a motor vehicle are prohibited.
- (c) No sign shall be so illuminated that it interferes with the effectiveness of, or obscures an official traffic sign, device, or signal.
- (d) All such lighting shall be subject to any other provisions relating to lighting of signs presently applicable to all highways under the jurisdiction of the state.
- (e) Illumination Lighting shall not be added to or used to illuminate nonconforming signs or signs conforming by virtue of the grandfather clause.

(4) Automatic Changeable Facing Sign:

- (a) Automatic changeable facing signs shall be permitted on the controlled routes under the

following conditions:

- (i) If the sign does not contain or display flashing, intermittent, or moving lights, including animated or scrolling advertising;
- (ii) If the changeable facing remains in a fixed position for at least eight seconds;
- (iii) If a message is changed electronically, it must be accomplished within an interval of two seconds or less;
- (iv) If the sign is not placed within 1,000 feet of another automatic changeable facing sign on the same side of the highway;
- (v) If the distance is measured along the nearest edge of the pavement and between points directly opposite the signs along each side of the highway;
- (vi) If the sign is a legally conforming structure it may be modified to an automatic changeable facing upon compliance with these standards and approval by the Department. Nonconforming structures shall not be modified to an automatic changeable facing;
- (vii) If the sign contains a default design that will freeze the sign in one position if a malfunction occurs; and
- (viii) If the sign application meets all other permitting requirements.

(5)

Unzoned Commercial or Industrial Area Qualification for Signs:

- (a) To qualify an area unzoned commercial or industrial for the purpose of outdoor advertising control, two or more commercial or industrial activities shall meet all of the following criteria prior to submitting an outdoor advertising permit application:
  - (i) The activity shall maintain all necessary business licenses as may be required by applicable state, county or local law or ordinances;
  - (ii) The property used for the activity shall be listed for ad valorem taxes with the county and municipal taxing authorities as required by law;
  - (iii) The activity shall be served by available utilities (power, telephone, water, and sewer);
  - (iv) The activity shall have direct or indirect vehicular access and be a generator of vehicular traffic;
  - (v) The activity shall have a permanent building designed, built or modified for

its current commercial or industrial use, and the building must be located within 660 feet and be visible from the nearest edge of the right of way of the controlled route;

(vi) The commercial or industrial activity must be in operation prior to the date of submitting an application for an outdoor advertising permit;

(vii) The activity shall be open to the public during hours that are normal and customary for that type of activity in the same or similar communities;

(viii) One or more employees shall be available to serve customers whenever the activity is open to the public;

(ix) The activity shall be visible and recognizable as commercial or industrial from the main traveled way of the controlled route. An activity is visible when that portion on which the permanent building designed, built, or modified for its current commercial use can be clearly seen twelve months a year by a person of normal visual acuity while traveling at the posted speed on the main traveled way of the controlled route adjacent to the activity. An activity is recognizable as commercial or industrial when its visibility from the main traveled way of the controlled route is sufficient for the activity to be identified as commercial or industrial.

(b) Each side of the controlled route shall be considered separately. All measurements shall begin from the outer edges of regularly used buildings, parking lots, storage or processing areas of the commercial or industrial activity, not from the property line of the activity and shall be along the nearest edge of the main traveled way of the controlled route. The proposed sign location must be within 800 feet of the commercial or industrial activity.

(c) The commercial or industrial activities must be located within 1600 feet of each other on the same side of the controlled route.

(d) The proposed sign location must be within 800 feet of at least one of the activities.

(e) To qualify an area as unzoned commercial or industrial for the purpose of outdoor advertising control, none of the following activities shall be recognized:

(i) Outdoor advertising structures;

(ii) On-premise or on-property signs defined by Rule .0201(18) of this Section if the on-premise/on-property

sign is the only part of the commercial or industrial activity that is visible from the main-traveled way;

(iii) Agricultural, forestry, ranching, grazing, farming, and related activities, including, but not limited to temporary wayside fresh produce stands;

(iv) Transient or temporary activities;

(v) Activities not visible and recognizable as commercial or industrial from the traffic lanes of the main traveled way;

(vi) Activities more than 660 feet from the nearest edge of the right of way;

(vii) Activities conducted in a building principally used as a residence;

(viii) Railroad tracks and minor sidings;

(ix) Any outdoor advertising activity or any other business or commercial activity carried on in connection with an outdoor advertising activity;

(x) Illegal junkyards, as defined in G.S. 136-146, and nonconforming junkyards as set out in G.S. 136-147.

Authority G.S. 136-130.

## .0206 APPLICATIONS

When application is made for an outdoor advertising permit, the application shall be submitted with: An application for an outdoor advertising permit shall be made on NCDOT form OA-L, which may be obtained at any District Office. Upon completion, the application shall be submitted to the district office for the district where the proposed site is located. The application shall include the following attachments:

(1) A memorandum of written lease or other written proof of interest in the land where a sign is proposed to be constructed: constructed. An applicant may delete information pertaining to term and amount of lease;

(2) A right of entry form to provide the right of entry from the property owner or adjacent property owners to allow DOT personnel to enter upon property if removal of structure becomes necessary when necessary for the enforcement of the Outdoor Advertising Control Act or these rules;

(3) A If zoned, a written statement from the local zoning authority indicating the present zoning of the parcel and date of last rezoning; its effective date. Upon request of the district engineer, the applicant shall submit copies of minutes from the appropriate zoning authority pertinent to the zoning action;

(4) A written statement of approval from local government if it regulates signs through building permits, or outdoor advertising permits; If the area is an unzoned commercial or industrial area, a copy of the documentation confirming that the requirements

under Rule .0203(5)(a)(i) and (ii) of this Section have been met;

(5) A sign permit or zoning permit, if required by the local government having jurisdiction over the proposed location;

(5) (6) A written certification from the sign owner indicating there has been no misrepresentation of any material facts regarding the permit application, or other information supplied to acquire a permit; and

(6) (7) An applicable fee for permit. The initial nonrefundable permit fee.

Authority G.S. 136-130.

#### .0208 PERMIT AND PERMIT EMBLEM

(a) A permit along with a permit emblem shall be issued for lawful outdoor advertising structures by the Division of Highways of the Department of Transportation upon proper application, approval, and the payment of fees for lawful outdoor advertising structures. the nonrefundable initial permit fee.

(b) The erection of new outdoor advertising structures shall not commence until a permit and permit emblem has been approved and the emblem issued. The outdoor advertising structure including except all sign faces must be completely constructed and erected within 180 days from the date of approval of the permit and issuance of the permit emblem. If the sign outdoor advertising structure including all except sign faces is not completely constructed and erected with the permit emblem affixed within 180 days from the date of approval of the permit and issuance of the permit emblem then any intervening rule change will shall apply to the sign structure. During the 180 day period, the new outdoor advertising structure with all sign faces shall be considered in existence for the purpose of spacing of adjacent signs as set out in the rules in this Section.

(c) The permit holder/sign owner shall notify the appropriate Division of Highways district engineer by certified mail, return receipt requested, within 10 days after the outdoor advertising structure is completed that it is ready for final inspection.

(c) (d) Prior to notifying the appropriate District Engineer that the structure has been completed, sign owner shall place the The permit emblem, which will have an identifying number, shall be placed on the outdoor advertising structure within 30 days after the structure and sign face have been erected in such a position as to be visible and readable from the main traveled way of the controlled route, roadway of the adjacent highway.

(e) Prior to notifying the appropriate District Engineer that the structure has been completed, the sign owner shall affix the name of the person, firm, or corporation owning or maintaining the outdoor advertising sign to the sign structure in sufficient size to be clearly visible from the main traveled way of the controlled route.

(f) Within 90 days after receiving notice that an outdoor advertising structure is complete, the appropriate District Engineer shall inspect the structure. If the structure fails to comply with the Outdoor Advertising Control Act or the rules in

this Section, the District Engineer shall advise the permit holder/sign owner by certified mail of the manner in which the structure fails to comply and that the structure must be made to comply within 30 days of receipt of the notice or removed.

(g) Replacement emblems for missing or illegible tags may be obtained from the district engineer by submitting a written request accompanied by a copy of the permit application which approved the original emblem.

Authority G.S. 136-130.

#### .0209 TRANSFER OF PERMIT/CHANGE OF ADDRESS

Within 30 days after ownership of a permitted outdoor advertising sign is transferred, the previous or new New sign owners owner shall submit a written notice, signed by the transferring owner and notarized, to the district engineer for the county in which the sign is located. must provide the appropriate district engineer with written notice of the transfer of ownership of a specific outdoor advertising structure for which a permit has been lawfully issued to the original or subsequent owner within 30 days of the actual transfer. A permit holder/sign owner Sign owners must provide the appropriate district engineer with written notice of a any change of address within 30 days of the address change. Should a sign permit holder/sign owner fail to provide written notice of a transfer of permit or change of address, a revocation of a permit for one of the reasons specified in Rule .0210 of this Section will shall stand and will shall not be affected by failure to notify the district engineer of such changes.

Authority G.S. 136-130.

#### .0210 REVOCATION OF PERMIT

Any valid permit issued for a lawful outdoor advertising structure shall be revoked by the The appropriate district engineer shall revoke a permit for a lawful outdoor advertising structure based on for any one of the following reasons: following:

- (1) mistake of material facts by the issuing authority District Engineer for which had the correct facts been made known, he would not have issued the outdoor advertising permit; permit in question would not have been issued;
- (2) misrepresentations of any material facts made by the outdoor advertiser permit holder/sign owner and on which the District Engineer relied in approving the outdoor advertising permit application; application for permit for outdoor advertising;
- (3) misrepresentation of material facts to any regulatory authority with jurisdiction over the sign by the permit holder/sign owner, the permit applicant or the owner of property on which the outdoor advertising structure is located;
- (4) failure to pay annual renewal fees or provide the documentation required requested under Rule .0207(c) of this Section;

(4) (5) failure to construct the outdoor advertising structure including except all sign faces within 180 days from the date of issuance of the outdoor advertising permit;

(6) a determination upon initial inspection of a newly erected outdoor advertising structure that it fails to comply with the Outdoor Advertising Control Act or the rules in this Section;

(5) (7) any alteration of an outdoor advertising structure for which a permit has previously been issued which would cause that outdoor advertising structure to fail to comply with the provisions of the Outdoor Advertising Control Act or the rules adopted by the Board of Transportation pursuant thereto;

(6) (8) alterations to a nonconforming sign or a sign conforming by virtue of the grandfather clause which would cause it to be other than substantially the same as it was on the date the sign became nonconforming, or a grandfather clause sign: other than reasonable repair and maintenance as defined in Rule .0226(d). For purposes of this Item, Section, alterations include, but are not limited to:

- enlarging a dimension of the sign facing, or raising the height of the sign;
- changing the material of the sign structure's support;
- adding a pole or poles; or
- adding illumination; lighting;

(7) failure to affix permanent permit emblem within 30 days after erection of the outdoor advertising structure;

(8) unlawful destruction of trees or shrubs or other growth located on the right of way in order to increase or enhance the visibility of an outdoor advertising structure;

(9) unlawful violation of the control of access on interstate, freeway, and other controlled access facilities;

(10) failure to maintain a sign such that it remains blank for a period of 12 consecutive months;

(11) failure to maintain a sign such that it reaches a state of dilapidation as defined in Rule .0201(w) of this Section;

(12) abandonment, destruction, or discontinuance of a sign as defined in Rule .0201, Paragraphs (s) and (t), and Section 750.707(d)(6) of Title 23 of the Code of Federal Regulations;

(13) violation of the criteria set out in Rule .0201(a) of this Section or when the criteria set out in Rule .0201(a) of this Section is no longer in existence within 24 months of the date of the issuance of the permit;

(14) failure to provide the appropriate district engineer with written notice of any proposed alteration to a nonconforming sign or a sign conforming by virtue of a grandfather clause;

(15) failure to affix the name of the person, firm, or corporation owning or maintaining the outdoor advertising sign to the sign structure in sufficient size to be plainly visible in accordance with G.S. 105-86(c);

(16) failure to erect, maintain, or alter an outdoor advertising sign structure in accordance with the North Carolina Outdoor Advertising Control Act, codified in G.S. 136, Articles 11 and 11A, and the rules adopted by the Board of Transportation;

(17) failure to maintain the permit emblem so that it is visible and readable from the main-traveled way;

(18) when, within 24 months of the date of issuance of the permit for any outdoor advertising structure erected using the criteria stipulated in Rule .0201(a) of this Section, any of the criterion in Rule .0201(a) of this Section no longer exists or when the activity which qualified the area unzoned commercial or industrial no longer exists;

(9) failure to affix the emblem within as required by Rule .0208 of this Section or failure to maintain the emblem so that it is visible and readable from the main-traveled way or controlled route;

(10) failure to affix the name of the person, firm, or corporation owning or maintaining the outdoor advertising sign to the sign structure in sufficient size to be clearly visible as required by Rule .0208 of this Section;

(11) destruction or cutting of trees, shrubs, or other vegetation located on the state-owned or maintained right of way where a preliminary investigation by the Department of Transportation reveals that the destruction or cutting:

- occurred on the state-owned or maintained right of way within 500 feet on either side of the sign location along the edge of pavement of the main traveled way of the nearest controlled route;
- was conducted by a person or persons other than the Department of Transportation or its authorized agents or assigns, or without permission from the Department of Transportation; and
- was conducted by one or more of the following: the sign owner, the permit holder, the lessee or advertiser employing the sign, the owner of the property upon which the sign is located, or any of their employees, agents or assigns, including, but not limited to, independent contractors hired by the permit holder/sign owner, the lessee/agents or advertiser employing the sign, or the owner of the property upon which the sign is located;

(12) unlawful use of a controlled access facility for purposes of repairing, maintaining or servicing an outdoor advertising sign where a preliminary investigation reveals that the unlawful violation:

- (a) was conducted actually or by design by the sign owner/permit holder, the lessee or advertiser employing the sign, the owner of the property upon which the sign is located, or any of their employees, agents, or assigns, including, but not limited to, independent contractors hired by any of the above persons; and,
- (b) involved the use of highway right of way for the purpose of repairing, servicing, or maintaining a sign including stopping, parking, or leaving any vehicle whether attended or unattended, on any part or portion of the right of way; or
- (c) involved crossing the control of access fence to reach the sign structure;
- (13) maintaining a blank sign for a period of 12 consecutive months;
- (14) maintaining a abandoned, dilapidated, or discontinued sign;
- (15) a sign that has been destroyed or significantly damaged as determined by Rule .0201(8) and (28) of this Section;
- (16) alteration, except for reasonable repair and maintenance as defined in Rule .0226 of this Section, of a nonconforming sign or a sign conforming by virtue of a grandfather clause;
- (17) moving or relocating a nonconforming sign or a sign conforming by virtue of the grandfather clause which changes the location of the sign as determined by Rule .0201(26) of this Section;
- (18) failure to erect, maintain, or alter an outdoor advertising sign structure in accordance with the North Carolina Outdoor Advertising Control Act, codified in G.S. 136, Article 11, and the rules adopted by the Board of Transportation.

Authority G.S. 105-86(e); 136-133.

## .0211 DENIAL OF PERMIT

(a) Should the appropriate district engineer determine that a proposed outdoor advertising structure would not conform to the standards of outdoor advertising as set out in the Outdoor Advertising Control Act or these Rules; the rules in this Section, district engineer shall refuse to issue a permit for that proposed outdoor advertising structure.

(b) When such noncompliance of the Outdoor Advertising Control Act or these Rules has been determined, the district engineer shall so notify the permit applicant owner of the proposed outdoor advertising structure in question by certified mail, return receipt requested, in the form of a letter setting forth the factual and statutory or regulatory basis for the denial, and include a copy of the Act and rules, reasons why the proposed outdoor advertising structure in question does not comply and shall also return the application to the applicant.

(c) Permit(s) shall not be issued by the Department of Transportation for a period of five years at conforming sites

where illegal cutting of vegetation has occurred. This includes sites where revocation of existing permit(s) have been upheld and signs have been removed; as well as conforming locations where illegal cutting occurs prior to receipt of an application for outdoor advertising permit(s).

(d) Application(s) shall be denied for new outdoor advertising structures at conforming locations where existing trees (defined as those trees four inches in diameter measured six inches from the ground) are of such density the site is not visible from the main travelway or will not be visible when the trees reach maturity.

(e) The Department of Transportation shall not issue permits for new outdoor advertising signs at a sign location (as defined by Rule .0201 of this Section) as follows:

- (1) for a period of five years where the unlawful destruction or illegal cutting of vegetation has occurred within 500 feet on either side of the proposed sign location, and as measured along the edge of pavement of the main traveled way of the nearest interstate or federal-aid primary route. For purposes of this Section only:
  - (A) "Unlawful destruction or illegal cutting" is the destruction or cutting of trees, shrubs, or other vegetation on the state-owned or maintained right of way which was conducted by a person or persons other than the Department of Transportation or its authorized agents or without the permission of the Department of Transportation.
  - (B) The Department of Transportation's preliminary investigation shall reveal some evidence that the unlawful destruction or illegal cutting was conducted for creating, increasing, or improving a view to a proposed outdoor advertising sign from the main-traveled way of the nearest interstate highway or federal-aid primary route.
  - (C) The five-year period shall run from the date on which the Department of Transportation has actual knowledge of the unlawful destruction or illegal cutting to be documented by the appropriate district engineer.
  - (D) The five-year prohibition period for a new sign permit shall apply equally to all sign locations including the following examples:
    - (i) sign locations where the unlawful destruction or illegal cutting of vegetation occurs prior to the time the location becomes a conforming location;
    - (ii) sign locations where a revocation of an existing permit has been upheld and a sign has been removed;
    - (iii) sign locations where the unlawful destruction or illegal cutting occurs prior to receipt of an outdoor advertising permit application; and

(iv) sign locations where the unlawful destruction or illegal cutting occurs following receipt of an outdoor advertising permit application, but prior to final issuance of the permit by the Department of Transportation.

(2) Where existing trees, if they were to reach the average mature size for that species, would make the proposed sign faces, when erected, not completely visible from the viewing zone. For purposes of this Section only:  
(A) "Existing trees" are those trees four inches in diameter measured six inches from the ground;  
(B) "Average mature size" shall be determined by reference to the most recent edition of *Hortus 3rd, A Concise Dictionary of Plants Cultivated in the United States and Canada*, McMillan Publishing Co., Inc., New York, NY, published in 1976;  
(C) Viewing Zone will be the area which is 500 feet as measured along the edge of the main traveled way on each side of the proposed sign structure which will have a sign face.

(3) Where the zoning is not part of comprehensive zoning or was zoned primarily to permit outdoor advertising structures or constitutes spot zoning or strip zoning as defined in 19A NCAC 02E.0201(4)(b)(iii).

(4) For a period of twelve months prior to the proposed letting of a new construction contract that may affect the spacing or location requirements for an outdoor advertising structure until the project is completed.

(5) On a route designated as a scenic byway.

Authority G.S. 136-130.

**.0212 NOTICE GIVEN FOR REVOKING PERMIT**

(a) Prior to the revocation of an outdoor advertising permit, the district engineer shall notify the permit holder/sign owner by certified mail of the alleged violation under Rule .0210 of this Section. The permit holder/sign owner shall be given 30 days in which to bring the sign into compliance, if permissible, or provide information concerning the alleged violation to the district engineer to be considered prior to the actual revocation. The district engineer shall consider the information provided by the permit holder prior to any revocation of a permit.

(a) (b) When in the opinion of the District Engineer a violation of Rule .0210 of this Section occurs, has occurred, the district engineer he shall so notify the owner of permit holder/sign owner for the outdoor advertising structure by certified mail, return receipt requested, in the form of a letter setting forth the reasons why stating the factual and statutory or regulatory basis for the revocation, and include a copy of the Outdoor Advertising regulations, the outdoor advertising structure in question does not comply. The letter notifying the owner of the outdoor advertising structure in question notification shall also state that because the structure is in violation of the provisions of the Outdoor Advertising Control

Act or these Rules, the rules in this Section, the structure is unlawful and a nuisance and that if the structure is not removed or made to conform to the provisions of the act or the rules within 30 days after receipt of the letter, notification, if permitted by these rules, the Department of Transportation or its agents shall, at the expense of the owner, permit holder/sign owner, remove the nonconforming outdoor advertising structure, advertising.

(b) (c) An outdoor advertising structure cannot be made to conform to the Outdoor Advertising Control Act or these Rules when the permit is revoked under 19A NCAC 2E.0210 (2), (3), (11), or (12), (2), (4) or (8).

Authority G.S. 136-130; 136-134.

**.0213 APPEAL OF DECISION OF DISTRICT ENGINEER TO SECRETARY OF TRANSPORTATION**

(a) Should any owner of an outdoor advertising structure permit applicant or permit holder/sign owner disagree with a decision of the appropriate district engineer pertaining to the denial or revocation of permits a permit for outdoor advertising or the determination that an outdoor advertising structure is illegal, the owner of the outdoor advertising structure permit applicant or permit holder/sign owner shall have the right to appeal to the Secretary of Transportation pursuant to the procedures hereinafter set out.

(b) The owner of the outdoor advertising structure who decides to appeal a decision of the district engineer shall so notify the appropriate district engineer of his decision to appeal by certified mail, return receipt requested, within 10 days of the receipt of notice of the decision of the district engineer. The district engineer shall then forward the notice given to him by the outdoor advertiser to the Secretary of Transportation.

(c) (b) Within 30 20 days from the time of the receipt of the decision of submitting his notice of appeal to the district engineer, the owner of the outdoor advertising structure permit applicant or permit holder/sign owner shall submit a written appeal to the Secretary of Transportation a written appeal setting forth with particularity the facts and arguments upon which his the appeal is based. The appeal shall be sent to the Secretary by certified mail, return receipt requested, with a copy to the district engineer.

(c) Upon receipt of the written appeal, the Secretary of Transportation shall review the written appeal and the District Engineer's decision, as well as any available documents, exhibits, or other evidence bearing on the appeal, and shall render the final agency decision, supported by appropriate findings of fact and conclusions of law. The final agency decision shall be served upon the appealing party by certified mail, return receipt requested, no later than 90 days after the Secretary receives the written appeal. A copy of the final agency decision shall also be mailed to the district engineer. Within 90 days from the receipt of the said written appeal or within such additional time as may be agreed to between the Secretary of Transportation and the owner of the outdoor

advertising structure, the Secretary of Transportation shall make an investigation of the said appeal. The Secretary of Transportation shall then make appropriate findings of fact and conclusions pertaining to the appeal on behalf of the Department of Transportation and the findings and conclusion shall be served upon the outdoor advertiser seeking the review by certified mail, return receipt requested. However, if the decision of the secretary is that the outdoor advertising structure in question is unlawful, then the findings and conclusion shall be served upon the owner of the outdoor advertising structure by certified mail, return receipt requested.

(d) Judicial review of the final agency decision is governed by G.S. 136-134.1.

Authority G.S. 136-130; 136-133; 136-134.

**.0214 STANDARDS FOR DIRECTIONAL SIGNS**

(a) General. For the purposes of this Section the following directional signs are prohibited:

- (1) signs which are erected or maintained upon trees or painted or drawn upon rocks or other natural features;
- (2) signs which move or have any animated or moving parts;
- (3) signs located in rest areas, parklands or scenic areas.

(b) Size.

- (1) No directional sign shall exceed the following limits:

Maximum area	150 square feet
Maximum height	20 feet
Maximum length	20 feet
- (2) All dimensions include border and trim, but exclude supports.

(c) Lighting. Directional signs may be illuminated, subject to the following:

- (1) Signs which contain, include, or are illuminated by any flashing, intermittent, or moving light or lights are prohibited.
- (2) Signs which are not effectively shielded so as to prevent beams or rays of light from being directed at any portion of the traveled way of an interstate or primary highway or NHS route or which are of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle, or which otherwise interfere with the any driver's operation of a motor vehicle are prohibited.
- (3) No sign may be so illuminated as to interfere with the effectiveness of or obscure an official traffic sign, device, or signal.

(d) Spacing

- (1) Each location of a directional sign must be approved by the division of highways.
- (2) No directional sign may be located within 2,000 feet of an interchange, or intersection at grade along the interstate system or other controlled access highways freeways (measured along the highway interstate or freeway from the nearest point of the beginning or ending of pavement widening at the exit from or entrance to the main-traveled way).

- (3) No directional sign may be located within 2,000 feet of a rest area, parkland, or scenic area.
- (4) No two directional signs facing the same direction of travel shall be spaced less than one mile apart.
- (5) Not more than three directional signs pertaining to the same activity and facing the same direction of travel may be erected along a single route approaching the activity.
- (6) Directional signs located adjacent to the interstate system shall be within 75 air miles of the activity.
- (7) Directional signs located adjacent to the primary system shall be within 50 air miles of the activity.

(e) Message Content. The message on directional signs shall be limited to the identification of the attraction or activity and directional information useful to the traveler in locating the attraction, such as mileage, route number, or exit numbers. Descriptive words or phrases, pictorial or photographic representations of the activity or its environs are prohibited.

(f) Selection Criteria

- (1) Privately owned activities or attractions eligible for directional signing are limited to the following: natural phenomena, scenic attractions; historic, educational, cultural, scientific, and religious sites; and outdoor recreational areas.
- (2) Privately owned attractions or activities must be nationally or regionally known, and of outstanding interest to the traveling public.

Authority G.S. 136-130; 136-129.

**.0224 SCENIC BYWAYS**

(a) Outdoor advertising is prohibited adjacent to any highway designated as a scenic highway or scenic byway by the Board of Transportation after the date of the designation as scenic, regardless of the highway classification.

(b) Pursuant to 19A NCAC 02E .1002(d), all lawfully erected outdoor advertising signs adjacent to a Scenic Byway/Highway designated as a part of the interstate or federal-aid primary highway system as of June 1, 1991, or any highway which is or becomes a part of the National Highway System shall become nonconforming signs and shall be subject to all applicable outdoor advertising regulations provided in 19A NCAC 02E .0200. Any sign erected after March 1, 1995, adjacent to these scenic byways shall be an illegal sign as defined in G.S. 136-128 and G.S. 136-133.

(c) Permits shall not be required for signs adjacent to scenic byways which were not part of the interstate or federal aid primary highway system as of June 1, 1991 or which do not become part of the National Highway System. The department shall maintain an inventory of signs erected prior to March 1, 1995 which are adjacent to these scenic byways. Any sign erected after March 1, 1995 along these scenic byways and which is not part of the inventory shall be an illegal sign as defined by G.S. 136-128 and G.S. 136-133.

Authority G.S. 136-129.2.

**.0225 REPAIR/MAINTENANCE/ALTERATION OF SIGNS**

(a) Signs may not be serviced from or across the right of way of freeways or from or across controlled access barriers or fences of controlled routes.

(b) Conforming signs may be altered within the limits of the rules in this Section.

(1) A conforming sign that has been destroyed or significantly damaged may be reconstructed within the limits of the rules in this Section by notifying the district engineer in writing of any substantial changes that would affect the original dimensions of the initial permit application.

(2) Conforming sign structures may be reconstructed so long as the reconstruction does not conflict with any applicable state, federal or local rules, regulations or ordinances.

(c) A nonconforming sign or sign conforming by virtue of the grandfather clause that has been destroyed or significantly damaged shall not be re-erected.

(d) Alteration to a nonconforming sign or a sign conforming by virtue of the grandfather clause is prohibited. Reasonable repair and maintenance are permitted including changing the advertising message or copy. The following activities are considered to be reasonable repair and maintenance:

(1) Change of advertising message or copy on the sign face.

(2) Routine replacement of border and trim as well as repair and replacement of a structural member with like material.

(3) Slight alterations of the dimensions of painted bulletins incidental to copy change.

(4) Any net decrease in the outside dimensions of the advertising copy portion of the sign shall be permitted, but if the sign face or faces are reduced, they may not thereafter ever be increased.

(5) The placing of lighting on existing sign structures is specifically prohibited as reasonable maintenance; however, such lighting may be permanently removed from such sign structure.

(e) When the Department of Transportation has actual knowledge of a reduction in the dimensions or area of a nonconforming sign or a sign conforming by virtue of the grandfather clause, the changes shall be documented and the sign owner, or any future sign owner, shall not be allowed to subsequently increase the dimension of the area of that sign.

Authority G.S. 136-130; 136-89.58.

**SECTION .0600 - SELECTIVE VEGETATION REMOVAL POLICY**

**.0603 ISSUANCE OR DENIAL OF PERMIT**

(a) Within 30 days following receipt of the application, the Division Engineer will shall approve or deny the application. If the application is denied, the Division Engineer shall advise the

applicant, in writing, of the reasons for denial.

(b) The application will shall be denied by the Division Engineer if:

(1) It requires removal of trees that were in existence before the business or advertisement was established, established unless the applicant submits an approved plan for replacement plantings. An existing tree shall be one that is four inches in diameter as measured six inches from the ground.

(2) The application is for the opening of view to a sign or business which has been declared illegal or is currently involved in litigation.

(3) It is determined that the facility or advertisement is not screened from view.

(4) The application is for the opening of view to an outdoor advertising sign which was obscured from view at the time of erection of the sign.

(5) Removal of vegetation will adversely affect the safety of the traveling public.

(6) Trees, shrubs, or other vegetation of any sort were planted in accordance with a local, State, or Federal beautification project. (Exceptional conditions may dictate a replacement, relocation, trimming, or pruning of this planted material.)

(7) Planting was done in conjunction with a designed noise barrier.

(8) The applicant has not performed satisfactory work on previous requests under the provisions of this policy (this may not be cause for denial if the applicant engages a qualified firm landscape contractor to perform the work).

(9) It involves opening of views to junkyards.

(10) The application is contrary to ordinances or rules and regulations enacted by local government, within whose jurisdiction the work has been requested to be performed.

Authority G.S. 136-18(5); 136-18(7); 136-18(9).

**.0604 CONDITIONS OF PERMIT**

(a) Selected vegetation within the approved limits shall be thinned, pruned, or removed by the Permittee or his agent in accordance with accepted horticultural practices: practices recommended by North Carolina State University. Roadside Environmental personnel will shall identify specific trees, shrubs, etc., which may be pruned, thinned, or removed. Selected individual plants to be removed will first be undergrowth or those which are dead, diseased, disfigured or otherwise lacking aesthetic quality. Removal of selected plants which are crowded and cannot fully develop in their existing locations may be the second stage of removal, if warranted.

(b) The Permittee may be required to furnish a performance bond or check in an amount determined by the Division Engineer to run concurrently with the permit, as deemed necessary: necessary to restore the right of way to the original condition if damage occurs.

(c) A Division of Highways Roadside Inspector shall be present while work is underway.

(d) Permits may be issued for multiple sites; however, a permit must be secured prior to performing any vegetation control work. Routine maintenance by the Permittee or his agent will shall not be permitted.

(e) The Permittee or his agent shall not impede traffic on the highway in performing the work. Access to the work site on controlled access highways must be gained without using the main travelway of the highway. The Division Engineer will shall determine traffic control signing which may be required. It The Permittee shall be the Permittee's responsibility to furnish, erect and maintain the required signs as directed by the Division Engineer.

(f) Any damage to vegetation which is to remain, to highway fences, signs, paved areas, or other facilities shall be repaired or replaced by the Permittee to the satisfaction of the Division Engineer. All trimmings, laps, and debris shall be removed from the right of way and disposed of in areas provided by the Permittee. No burning or burying shall be permitted on the highway right of way. When chipping is used to dispose of trimmings, chips may be neatly spread on right of way at locations acceptable to the Division Engineer.

(g) Upon satisfactory completion of all work, the Roadside Inspector shall notify the Division Engineer who will shall notify the Permittee in writing of such acceptance, terminate the permit, and return the performance bond or check.

(h) Failure to comply with all the requirements specified in the permit, unless otherwise mutually resolved, will shall result in immediate revocation of the permit and forfeiture of any or all of the performance bond or check as determined by the Division Engineer. Engineer based on conditions stated in Paragraph (b) of this Rule.

Authority G.S. 136-18(5); 136-18(7); 136-18(9).

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## **TITLE 21 - OCCUPATIONAL LICENSING BOARDS**

### **CHAPTER 37 - BOARD OF NURSING HOME ADMINISTRATORS**

**N**otice is hereby given in accordance with G.S. 150B-21.2 that the North Carolina State Board of Examiners for Nursing Home Administrators intends to amend rules cited as 21 NCAC 37D .0202; 37E .0102; 37F .0102; 37G .0102, .0201; 37H .0102. Notice of Rule-making Proceedings was published in the Register on September 1, 1999.

**Proposed Effective Date:** July 1, 2000

**Instructions on How to Demand a Public Hearing (must be requested in writing within 15 days of notice):** Written requests for a public hearing should be received by the Board no later than December 1, 1999. Such a request should be addressed to

*Jane Baker, Executive Director, 3733 National Drive, Suite 228, Raleigh, NC 27612.*

**Reason for Proposed Action:** *The State Treasurer, pursuant to Budget guidelines, requires the Board to maintain a balance of \$150,000 with the State Treasurer. Senate Bill 622 was introduced and enacted as S.L. 99-0217 to prevent a shortfall in the account. The affected parties will be submitting their applications, most of which will be approved after October 1, 1999, the effective date of the legislation; therefore, the affected parties will owe the fees after that date.*

**Comment Procedures:** *Written comments must be submitted within 30 days from publication of this notice and should be addressed to Jane Baker, Executive Director, 3733 National Drive, Suite 228, Raleigh, NC 27612.*

#### **Fiscal Impact**

State      Local Sub.      None

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## **SUBCHAPTER 37D - NEW LICENSES**

### **SECTION .0200 - APPLICATION FOR LICENSE**

#### **.0202 INITIAL LICENSURE FEE**

The applicant shall send to the Board, prior to licensure, an initial licensure fee of three hundred twenty five dollars (\$325.00) three hundred seventy five (\$375.00) when applicant has successfully passed the examinations as required by the Board under Sections .0600 and .0700 of this Chapter.

Authority G.S. 90-280.

## **SUBCHAPTER 37E - RECIPROCITY/ ENDORSEMENT**

### **SECTION .0100 - APPLICATIONS**

#### **.0102 APPLICATION CONTENTS**

An applicant for reciprocity/endorsement shall submit, three weeks prior to the personal interview, a completed application, background resume, certified college transcript(s), three reference forms (one of which shall be from an employer) from individuals not related to the applicant who shall certify to the good moral character of the applicant as defined in 21 NCAC 37D .0203, licensing questionnaire(s) from every state where the applicant has held a license and one hundred twenty five dollar (\$125.00) two hundred dollar (\$200.00) application fee.

Authority G.S. 90-280; 90-285; 90-287.

## **SUBCHAPTER 37F - TEMPORARY LICENSES**

### **SECTION .0100 - TEMPORARY LICENSE REQUIREMENTS**

**.0102 ISSUANCE AND RENEWAL OF TEMPORARY LICENSE**

(a) An applicant for a temporary license shall request, in writing, a temporary license package from the Board, provide a letter from the owner or regional manager requesting the issue of such license for the facility, stating the circumstances necessitating the issuance of a temporary license, and submit a completed application package including payment of a one hundred dollar (\$100.00) two hundred dollar (\$200.00) fee.

(b) After an applicant is issued a temporary license he shall successfully pass the state examination as administered by the Board at the next scheduled testing period to retain the temporary license.

(c) A temporary license may be renewed at the discretion of the Board for an additional period not to exceed a total of six months.

(d) A temporary license shall be issued to the licensee to permit him to practice only in the nursing home to which he is assigned on the date of issuance.

(e) If the Board renews the temporary license, no further fee shall be required.

Authority G.S. 90-278; 90-280; 90-285.

**SUBCHAPTER 37G - RENEWAL, INACTIVE, RESTORATION AND REINSTATEMENT, DUPLICATE**

**SECTION .0100 - RENEWAL REQUIREMENTS**

**.0102 RENEWAL FEE**

Upon making application for a new certificate of registration a licensee shall pay a biennial licensure fee of three hundred twenty-five dollars (\$325.00) three hundred seventy five dollars (\$375.00).

Authority G.S. 90-280; 90-285; 90-286.

**SECTION .0200 - INACTIVE LICENSES**

**.0201 INACTIVE STATUS REQUIREMENTS**

(a) An inactive list of administrators who are not practicing in this state shall be maintained by the Board. An administrator who desires to be placed on the inactive status list shall make a written request and submit a twenty-five dollar (\$25.00) fifty dollar (\$50.00) per year fee to the Board. Inactive status shall only be granted on a prospective basis.

(b) A request to be placed on the inactive status list shall be submitted to the Board no later than 30 days after expiration of the license under 21 NCAC 37G .0101(a). Failure to submit the request and payment of the fee within this time shall result in automatic expiration of the license retroactive to the expiration date.

(c) An administrator may remain on the inactive list for a period not to exceed five four years.

Authority G.S. 90-280; 90-285.

**SUBCHAPTER 37H - CONTINUING EDUCATION**

**SECTION .0100 - CONTINUING EDUCATION REQUIREMENTS**

**.0102 CONTINUING EDUCATION PROGRAMS OF STUDY**

(a) The Board shall certify and administer courses in continuing education for the professional development of nursing home administrators and to enable persons to meet the requirements of the Rules in this Chapter. The licensee shall keep a record of his continuing education hours. Certified courses, including those sponsored by the Board, an accredited university, college or community college, associations, professional societies, or organizations shall:

- (1) contain a minimum of two classroom hours of academic work and not more than eight classroom hours within a 24-hour period; and
- (2) include instruction in the following general subject areas or their equivalents:
  - (A) Resident Care Management;
  - (B) Personnel Management;
  - (C) Financial Management;
  - (D) Environmental Management;
  - (E) Regulatory Management;
  - (F) Organizational Management.

(b) In lieu of certifying each course offered by a provider, the Board may certify the course provider for an annual fee not to exceed two thousand dollars (\$2,000).

(b) (c) Certified courses not administered by the Board shall:

- (1) be submitted to the Board for approval at least 30 days prior to the presentation of the program;
- (2) be accompanied with a fee of fifty dollars (\$50.00) to cover the cost of reviewing and maintaining records associated with the continuing education program; and
- (3) be approved for a period of one year from the date of initial presentation.

(c) (d) Courses from an accredited university or community college shall meet all requirements as outlined in paragraphs (a) and (b) of this Rule. A licensee submitting such courses for continuing education credit shall submit a copy of the final grade for said course work. Continuing education credit hours granted by the Board shall be the same as those granted by the institution.

(d) (e) Credit may be earned for participation in teleconferenced course only if there is a third party representative of the course sponsor or the Board present to verify the licensee's attendance throughout the course. No credit shall be earned for correspondence courses.

(e) (f) The Board shall charge a registration fee covering the cost of continuing education courses it sponsors, not to exceed two hundred fifty dollars (\$250.00).

*Authority G.S. 12-3.1(c)(3); 90-278; 90-280; 90-285; 90-286.*

*The Codifier of Rules has entered the following temporary rule(s) in the North Carolina Administrative Code. Pursuant to G.S. 150B-21.1(e), publication of a temporary rule in the North Carolina Register serves as a notice of rule-making proceedings unless this notice has been previously published by the agency.*

**TITLE 2 - DEPARTMENT OF AGRICULTURE**

**Rule-making Agency:** North Carolina Structural Pest Control Committee

**Rule Citation:** 2 NCAC 34 .0330

**Effective Date:** October 2, 1999

**Findings Reviewed by Beecher R. Gray:** Approved

**Authority for the rule-making:** G.S. 106-65.29

**Reason for Proposed Action:** S.L. 1999-381 amended the Structural Pest Control law effective October 1, 1999, thus requiring the Committee to make conforming changes to its rules.

**Comment Procedures:** Written comments may be submitted to Carol Falco, Secretary, North Carolina Structural Pest Control Committee, PO Box 27647, Raleigh, NC 27611

**CHAPTER 34 - STRUCTURAL PEST CONTROL DIVISION**

**SECTION .0300 - LICENSING AND CERTIFICATION**

**.0330 BRANCH OFFICE**

(a) A licensee shall not establish more than two branch offices in addition to his/her home office.

(b) The licensee shall register each branch office with the Division prior to its establishment and at the time of renewal of the license on a form prescribed by the Division.

(c) The licensee shall designate a certified applicator or applicators to supervise all structural pest control performed from the branch office.

(d) The designated certified applicator(s) shall be a regular, full-time employee of the licensee, permanently assigned to and physically present at the branch office and shall have access to the licensee, via some method of communication, at all times.

(e) At a minimum, the licensee shall provide the following information concerning the branch office at the time of registration and within 10 days of any change in the information:

- (1) The physical location or address of the branch office;
- (2) The mailing address of the branch office;
- (3) The telephone number of the branch office;
- (4) The location, branch office or home office, at which records of work and pesticides used shall be stored;
- (5) The name of the designated certified applicator or certified applicators responsible for the supervision of

the branch office; and,

(6) The names of all employees performing work from the branch office.

(f) The branch office shall perform work only in the phase or phases in which the designated certified applicator, or certified applicators, holds a valid certification.

(g) At no time shall the branch office operate for more than 10 working days without a designated certified applicator.

(h) The licensee shall not establish any branch office more than 75 miles from the location of his/her home unless prior approval has been obtained from the Committee to locate a branch office more than 75 miles from the licensee's primary residence.

(i) Requests to operate a branch office more than 75 miles from the licensee's primary residence shall be made in writing to the Committee and shall include a plan of supervision in addition to the information in Paragraph (e) of this Rule. At a minimum, the plan of supervision shall include:

- (1) Complete training program, including a schedule of training;
- (2) An outline of the company organization showing the lines of supervision and responsibility, the credentials of supervisor(s) (education, experience, certification status), percentage of time devoted to supervision, methods and personnel conducting quality control;
- (3) A description of communication capabilities and procedures between the home office and branch office and between the consumer and the branch and home offices;
- (4) A plan to be followed in the event of emergencies such as fire, pesticide spills or other emergency.

(j) If, at any time, the Committee determines that any branch office is not being adequately supervised, the branch office shall be closed and shall not resume operation nor shall the licensee be permitted to open any new branch office until a satisfactory plan of supervision has been approved by the Committee or until the office is made a home office.

*History Note: Authority G.S. 106-65.29; Temporary Adoption Eff. October 2, 1999.*

**TITLE 10 - DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Rule-making Agency:** DHHS - Division of Medical Assistance

**Rule Citation:** 10 NCAC 26D .0101

**Effective Date:** October 15, 1999

**Findings Reviewed by Beecher R. Gray: Approved**

**Authority for the rule-making:** G.S. 108A-25(b); 42 CFR 440.230(d); 42 CFR 447.253; 42 CFR 456.1

**Reason for Proposed Action:** *The program was determined to be ineffective and discontinued effective 4/1/99. The contract with Medical Review of North Carolina for pre-admission screening was not renewed, thus, saving medicaid dollars for this program.*

**Comment Procedures:** *Written comments concerning this rule-making action must be submitted to Portia W. Rochelle, Rule-making Coordinator, Division of Medical Assistance, 1985 Umstead Drive, Raleigh, NC 27603.*

## CHAPTER 26 - MEDICAL ASSISTANCE

### SUBCHAPTER 26D - LIMITATIONS ON AMOUNT: DURATION: AND SCOPE

#### .0101 INPATIENT HOSPITAL SERVICES

(a) Private and semi-private rooms shall be reimbursed only when medically necessary (or when a census makes it necessary). Claims must be supported by a physician's statement.

(b) Medical necessity for acute hospital level-of-care and length of stay will initially be determined by a hospital's Utilization Review Committee; however this need will be subject to post-payment review by the state agency. All claims will be subject to prepayment review for Medicaid coverage.

(c) The State agency may grant a maximum of three administrative days to arrange for discharge of a patient to a lower level-of-care. With prior approval by the State Medicaid agency, the hospital may be reimbursed for days in excess of the three administrative days at the statewide average rate for the particular level of care needed in the event a lower level-of-care bed in a Medicaid approved health care institution is not available. The hospital must, however, make every effort to place the recipient in an appropriate institution within the three-day administrative time allowance.

(d) Preadmission Authorization

(1) Preadmission authorization to admit a Medicaid patient for elective acute hospital level of care is required by the State Agency in accordance with physician developed criteria except under the following conditions:

- (A) Medicare is a primary payor, or
- (B) The admission is for a delivery, or
- (C) The patient is determined Medicaid eligible after admission has occurred.

(2) The admitting physician is responsible for securing the authorization. A denial to authorize the admission may be appealed by the physician, or hospital. Failure to secure authorization shall result in denial or recoupment for any inappropriate or unnecessary

admission.

(3) The State Agency will establish administrative mechanisms to evaluate requests for retroactive approvals to consider cases where either events occurred that were outside the provider's control or technical processing errors prevented obtaining an authorization prior to the patient's being admitted to the hospital.

(4) In all cases involving a denial or recoupment, neither the hospital nor practitioner may bill the patient.

(e) (d) Coverage for selected elective surgical procedures is contingent upon the rendering of a second opinion by another qualified practitioner when Medicaid is the primary payor. Categories of surgery which may be subject to a second surgical opinion requirement include hysterectomy, cholecystectomy, hemorrhoidectomy, knee surgery, coronary bypass, foot surgery, laminectomy, prostatectomy, tonsillectomy and adenoidectomy, inguinal hernia repair, varicose vein stripping and cataract surgery. This requirement may be waived by the state agency under the following conditions:

- (1) Subsequent to the performance of the procedure the recipient is determined to be retroactively eligible;
- (2) Unanticipated circumstances precluded performance of a second surgical opinion;
- (3) Physician developed criteria precludes a second opinion.

In all cases the final decision to perform the surgery rests with the recipient. A third opinion is covered but not required.

**History Note:** Authority G.S. 108A-25(b); S.L. 1985, c. 479, s. 86; 42 C.F.R. 440.230(d); 42 C.F.R. 447.253; 42 C.F.R. 456.1;

*Eff. February 1, 1976;*

*Readopted Eff. October 31, 1977;*

*Amended Eff. October 1, 1986; August 1, 1986; October 1, 1982;*

*Temporary Amendment Eff. October 15, 1999.*

## TITLE 15A - DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

**Rule-making Agency:** North Carolina Marine Fisheries Commission

**Rule Citation:** 15A NCAC 3J .0103; 3L .0205; 3O .0101, .0109

**Effective Date:** October 2, 1999

**Findings Reviewed and Approved by:** Beecher R. Gray

**Authority for the rule-making:** G.S. 113-134; 113-168; 113-168.2; 113-168.3; 113-168.4; 113-168.5; 113-168.6; 113-169; 113-169.2; 113-169.3; 113-169.4; 113-169.5; 113-171.1; 113-173; 113-182; 113-221; 143B-289.52

**Reason for Proposed Action:**

**15A NCAC 3J .0103:** *The Fisheries Reform Act of 1997 and its amendments (House Bill 1448) required a complete review of the procedures for management of fisheries in North Carolina. Included were requirements for Fishery Management Plans. This amendment is a necessary temporary management measure determined necessary to ensure the viability of red drum while the FMP for red drum is being developed. The four regional committees and the Finfish Committee of the Marine Fisheries Commission reviewed these amendments before the September 9-10 action.*

**15A NCAC 3L .0205:** *The Fisheries Reform Act of 1997 and its amendments (House Bill 1448) required a complete review of the procedures for management of fisheries in North Carolina. Included were requirements for Fishery Management Plans. This amendment is a necessary action for the completed Fishery Management Plan for Blue Crabs. Section 5.3 states "This act constitutes a recent act of the General Assembly within the meaning of G.S. 150B-21.1".*

**15A NCAC 3O .0101, .0109:** *The Fisheries Reform Act of 1997 and its amendments (House Bill 1448) required a complete review and rewrite of the license procedures for Marine Fisheries. Several of these procedures have been found to not be adequate since the implementation of these procedures July 1, 1999. These amendments correct those problems.*

**Comment Procedures:** Written comments are encouraged and may be submitted to the MFC, Juanita Gaskill, PO Box 769, Morehead City, NC 28557.

## **CHAPTER 3 - MARINE FISHERIES**

### **SUBCHAPTER 3J - NETS, POTS, DREDGES, AND OTHER FISHING DEVICES**

#### **SECTION .0100 - NET RULES, GENERAL**

##### **.0103 GILL NETS, SEINES, IDENTIFICATION, RESTRICTIONS**

(a) It is unlawful to use a gill net with a mesh length less than 2-1/2 inches.

(b) The Fisheries Director may, by proclamation, limit or prohibit the use of gill nets or seines in coastal waters, or any portion thereof, or impose any or all of the following restrictions on the use of gill nets or seines:

- (1) Specify area;
- (2) Specify season;
- (3) Specify gill net mesh length;
- (4) Specify means/methods;
- (5) Specify net number and length;

(c) It is unlawful to use fixed or stationary gill nets in the Atlantic Ocean, drift gill nets in the Atlantic Ocean for recreational purposes, or any gill nets in internal waters unless nets are marked by attaching to them at each end two separate yellow buoys which shall be of solid foam or other solid buoyant material no less than five inches in diameter and no less than

five inches in length. Gill nets which are not connected together at the top line shall be considered as individual nets, requiring two buoys at the end of each individual net. Gill nets connected together at the top line shall be considered as a continuous net requiring two buoys at each end of the continuous net. Any other marking buoys on gill nets used for recreational purposes shall be yellow except one additional buoy, any shade of hot pink in color, constructed as specified in Paragraph (c) of this Rule, shall be added at each end of each individual net. Any other marking buoys on gill nets used in commercial fishing operations shall be yellow except that one additional identification buoy of any color or any combination of colors, except any shade of hot pink, may be used at either or both ends. The owner shall always be identified on a buoy on each end either by using engraved buoys or by attaching engraved metal or plastic tags to the buoys. Such identification shall include owner's last name and initials and if a vessel is used, one of the following:

- (1) Owner's N.C. motor boat registration number; or
- (2) Owner's U.S. vessel documentation name;
- (d) It is unlawful to use gill nets:
  - (1) Within 200 yards of any pound net with lead and pound or heart in use;
  - (2) From March 1 through October 31 in the Intracoastal Waterway within 150 yards of any railroad or highway bridge.
- (e) It is unlawful to use gill nets within 100 feet either side of the center line of the Intracoastal Waterway Channel south of Quick Flasher No. 54 in Alligator River at the southern entrance to the Intracoastal Waterway to the South Carolina line, unless such net is used in accordance with the following conditions:
  - (1) No more than two gill nets per boat may be used at any one time;
  - (2) Any net used must be attended by the fisherman from a boat who shall at no time be more than 100 yards from either net; and
  - (3) Any individual setting such nets shall remove them, when necessary, in sufficient time to permit unrestricted boat navigation.

(f) It is unlawful to use drift gill nets in violation of 15A NCAC 3J .0101(2) and Paragraph (e) of this Rule.

(g) It is unlawful to use unattended gill nets with a mesh length less than five inches in a commercial fishing operation in the following areas: gill nets from May 1 through October 31 with a mesh length of less than five inches in internal coastal waters (including joint waters) unless attended. In order to be considered attended, the fishermen must be within 100 yards of any net employed by that fisherman:

- (1) Pamlico River, west of a line beginning at a point on Mauls Point at 35° 26' 56" N - 76° 55' 33" W; running 066° (M) to a point on Ragged Point at 35° 27' 33" N - 76° 54' 23" W;
- (2) Within 200 yards of any shoreline in Pamlico River and its tributaries east of the line from Mauls Point at 35° 26' 56" N - 76° 55' 33" W; running 066° (M) to Ragged Point at 35° 27' 33" N - 76° 54' 23" W and

west of a line beginning at a point on Pamlico Point at  $35^{\circ} 22' 18''$  N -  $76^{\circ} 29' 00''$  W; running  $018^{\circ}$  (M) through Marker #1 to a point on Roos Point at  $35^{\circ} 18' 48''$  N -  $76^{\circ} 28' 16''$  W;

(3) Pungo River, east of a line beginning at a point on Durants Point at  $35^{\circ} 30' 30''$  N -  $76^{\circ} 35' 12''$  W; running  $319^{\circ}$  (M) to the northern side of the breakwater at  $35^{\circ} 31' 48''$  N -  $76^{\circ} 36' 53''$  W;

(4) Within 200 yards of any shoreline in Pungo River and its tributaries west of the line from Durants Point at  $35^{\circ} 30' 30''$  N -  $76^{\circ} 35' 12''$  W; running  $319^{\circ}$  (M) to the northern side of the breakwater at  $35^{\circ} 31' 48''$  N -  $76^{\circ} 36' 53''$  W, and west of a line beginning at a point on Pamlico Point at  $35^{\circ} 22' 18''$  N -  $76^{\circ} 29' 00''$  W; running  $018^{\circ}$  (M) through Marker #1 to a point on Roos Point at  $35^{\circ} 18' 48''$  N -  $76^{\circ} 28' 16''$  W;

(5) Neuse River and its tributaries northwest of the Highway 17 highrise bridge;

(6) Trent River and its tributaries;

(7) Within 200 yards of any shoreline in Neuse River and its tributaries east of a line from the Highway 17 highrise bridge and west of a line beginning at a point on Wilkinson Point at  $34^{\circ} 57' 53''$  N -  $76^{\circ} 48' 15''$  W; running  $203^{\circ}$  (M) to a point on Cherry Point at  $34^{\circ} 56' 27''$  N -  $76^{\circ} 48' 42''$  W.

(h) It is unlawful to use unattended gill nets with a mesh length less than five inches in a commercial fishing operation from May 1 through October 31 in the following internal coastal and joint waters of the state south of a line beginning at a point on Roanoke Marshes Point at  $35^{\circ} 48' 12''$  N -  $75^{\circ} 43' 06''$  W; running  $122^{\circ}$  (M) to a point on Eagle Nest Bay at  $35^{\circ} 44' 12''$  N -  $75^{\circ} 31' 09''$  W to the South Carolina State Line;

(1) All primary nursery areas described in 15A NCAC 3R .0103, all permanent secondary nursery areas described in 15A NCAC 3R .0104, and no trawl areas described in 15A NCAC 3R .0106(3),(4),(6), and (7);

(2) In the area along the Outer Banks, beginning at a point on Core Banks at  $34^{\circ} 58' 49''$  N -  $76^{\circ} 09' 59''$  W; running  $292^{\circ}$  (M) to a point on Wainwright Island at  $34^{\circ} 59' 28''$  N -  $76^{\circ} 12' 28''$  W; running  $026^{\circ}$  (M) to a point at  $35^{\circ} 00' 16''$  N -  $76^{\circ} 12' 12''$  W; running  $034^{\circ}$  (M) to a point at  $35^{\circ} 01' 35''$  N -  $76^{\circ} 11' 27''$  W; running  $059^{\circ}$  (M) to a point at  $35^{\circ} 06' 24''$  N -  $76^{\circ} 04' 20''$  W; running  $044^{\circ}$  (M) to a point at  $35^{\circ} 08' 26''$  N -  $76^{\circ} 02' 30''$  W; running  $090^{\circ}$  (M) to a point at  $35^{\circ} 09' 18''$  N -  $75^{\circ} 54' 49''$  W; running  $063^{\circ}$  (M) to a point  $35^{\circ} 19' 02''$  N -  $75^{\circ} 36' 19''$  W; running  $038^{\circ}$  (M) to a point at  $35^{\circ} 22' 48''$  N -  $75^{\circ} 33' 36''$  W; running  $026^{\circ}$  (M) to a point at  $35^{\circ} 28' 27''$  N -  $75^{\circ} 31' 21''$  W; running  $010^{\circ}$  to a point at  $35^{\circ} 35' 59''$  N -  $75^{\circ} 31' 12''$  W; running  $355^{\circ}$  (M) to a point  $35^{\circ} 45' 11''$  N -  $75^{\circ} 34' 06''$  W; running  $122^{\circ}$  (M) to a point at  $35^{\circ} 44' 11''$  N -  $75^{\circ} 31' 05''$  W. Thence running south along the shoreline across the inlets to the point of beginning;

(3) In Back and Core sounds, beginning at a point on Shackleford Banks at  $34^{\circ} 39' 59''$  N -  $76^{\circ} 34' 16''$  W; running  $004^{\circ}$  (M) to a point at Marker #3 at  $34^{\circ} 41' 19''$  N -  $76^{\circ} 33' 50''$  W; thence running  $103^{\circ}$  (M) to a point at  $34^{\circ} 40' 27''$  N -  $76^{\circ} 30' 41''$  W; thence running  $019^{\circ}$  (M) to a point near Marker #A37 at  $34^{\circ} 43' 35''$  N -  $76^{\circ} 28' 35''$  W; thence running  $350^{\circ}$  (M) to a point at  $34^{\circ} 43' 45''$  N -  $76^{\circ} 28' 36''$  W; thence running  $025^{\circ}$  (M) to a point at  $34^{\circ} 48' 09''$  N -  $76^{\circ} 24' 47''$  W; thence running  $042^{\circ}$  (M) to a point near Drum Inlet at  $34^{\circ} 51' 03''$  N -  $76^{\circ} 20' 18''$  W; thence running  $034^{\circ}$  (M) to a point at  $34^{\circ} 53' 25''$  N -  $76^{\circ} 17' 21''$  W; thence running  $008^{\circ}$  (M) to a point at  $34^{\circ} 53' 55''$  N -  $76^{\circ} 17' 07''$  W; thence running  $110^{\circ}$  (M) to a point at  $34^{\circ} 53' 33''$  N -  $76^{\circ} 16' 25''$  W; thence running  $026^{\circ}$  (M) to a point at  $34^{\circ} 56' 33''$  N -  $76^{\circ} 13' 37''$  W; thence running  $094^{\circ}$  (M) to a point at  $34^{\circ} 56' 29''$  N -  $76^{\circ} 13' 17''$  W; thence running  $013^{\circ}$  (M) to a point at  $34^{\circ} 58' 11''$  N -  $76^{\circ} 12' 18''$  W; thence running  $330^{\circ}$  (M) to a point at  $34^{\circ} 58' 48''$  N -  $76^{\circ} 12' 31''$  W; thence running  $000^{\circ}$  (M) to a point on Wainwright Island at  $34^{\circ} 59' 26''$  N -  $76^{\circ} 12' 22''$  W; thence running  $096^{\circ}$  (M) to a point on Core Banks at  $34^{\circ} 58' 49''$  N -  $76^{\circ} 09' 59''$  W; thence following the shoreline south across Drum and Barden inlets to the point of beginning;

(4) Within 200 yards of any shoreline, except from October 1 through October 31, south and east of Highway 12 in Carteret County and south of a line from a point on Core Banks at  $34^{\circ} 58' 49''$  N -  $76^{\circ} 09' 59''$  W; running  $292^{\circ}$  (M) to Camp Point at  $35^{\circ} 00' 05''$  N -  $76^{\circ} 14' 48''$  W to the South Carolina State Line.

History Note: Authority G.S. 113-134; 113-173; 113-182; 113-221; 143B-289.52;

Eff. January 1, 1991;

Amended Eff. August 1, 1998; March 1, 1996; March 1, 1994; July 1, 1993; September 1, 1991;

Temporary Amendment Eff. October 2, 1999; July 1, 1999; October 22, 1998.

## SUBCHAPTER 3L - SHRIMP, CRABS, AND LOBSTER

### SECTION .0200 - CRABS

#### .0205 CRAB SPAWNING SANCTUARIES

(a) It is unlawful to set or use trawls, pots, and mechanical methods for oysters or clams a trawl net or take crabs with the use of commercial fishing equipment from the crab spawning sanctuaries described in 15A NCAC 3R .0110 from March 1 through August 31.

(b) From September 1 through February 28, the Fisheries Director may, by proclamation, close the crab spawning sanctuaries and may impose any or all of the following restrictions:

- (1) Specify number of days;
- (2) Specify areas;

- (3) Specify means and methods which may be employed in the taking;
- (4) Specify time period;
- (5) Limit the quantity.

*History Note: Authority G.S. 113-134; 113-182; 113-221; 143B-289.52;*

*Eff. January 1, 1991;*

*Amended Eff. May 1, 1997;*

*Temporary Amendment Eff. October 2, 1999.*

## **SUBCHAPTER 30 - LICENSES, LEASES, AND FRANCHISES**

### **SECTION .0100 - LICENSES**

#### **.0101 PROCEDURE AND REQUIREMENTS TO OBTAIN LICENSES, ENDORSEMENTS AND COMMERCIAL FISHING VESSEL REGISTRATIONS**

(a) To obtain any Marine Fisheries licenses, endorsements, commercial fishing vessel registrations except Recreational Fishing Tournament Licenses to Sell Fish and Land or Sell Licenses, the following information is required for a proper application by the licensee, a responsible party or person holding a power of attorney:

- (1) Full name, physical address, mailing address, date of birth, and signature of the licensee on the application. If the licensee is not appearing before a license agent or a representative of the Division, the licensee's signature on the application must be notarized;
- (2) Valid picture Picture identification of licensee or responsible party; acceptable forms of picture identification are driver's license, state identification card, military identification card, resident alien card (green card) or passport or if purchased by mail, a copy thereof;
- (3) Certification that the applicant does not have four or more marine or estuarine resource violations during the previous three years;
- (4) Valid documentation papers or current motor boat registration or copy thereof when purchasing a commercial fishing vessel registration. If an application for transfer of documentation is pending, a copy of the pending application and a notarized bill of sale may be submitted;
- (5) Current articles of incorporation and a current list of corporate officers when purchasing a license or commercial fishing vessel registration in a corporate name. Effective October 2, 1999, in the case of incorporation of an individual fishing vessel, the name of the master of that vessel shall also be specified. It is unlawful to fail to notify the Morehead Office of the Division of Marine Fisheries within five days of change of the master specified for that vessel;
- (6) If a partnership is established by a written partnership

agreement, a current copy of such agreement shall be provided when purchasing a license, endorsement or commercial fishing vessel registration in a partnership name;

- (7) For nonresidents, certification of the state of residency;
- (8) In addition to the information required in G.S. 113-169.4, linear length of pier when purchasing an Ocean Fishing Pier License;
- (9) In addition to the information required in G.S. 113-171.1, current aircraft registration and list of operator(s) when purchasing a Spotter Plane License;
- (10) In addition, for fish dealers licenses, the physical address of the established location where business is conducted and, if different, the address where records are kept.

(b) To obtain a License to Land Flounder from the Atlantic Ocean:

- (1) To qualify for a License to Land Flounder from the Atlantic Ocean, the applicant shall:
  - (A) have landed in North Carolina at least 1,000 pounds of flounder from a single vessel each year from the Atlantic Ocean during any two of the 1992-93, 1993-94, 1994-95 license years for which the person had a vessel that was licensed to land in North Carolina; and
  - (B) have been licensed under G.S. 113-152 or 113-153 during any two of the 1992-93, 1993-94, or 1994-95 license years; and
  - (C) hold a valid Standard or Retired Commercial Fishing License or valid Land or Sell License.
- (2) It is lawful for a person to hold Licenses to Land Flounder from the Atlantic Ocean equal to the number of vessels that he owns that individually met the eligibility requirements of Subparagraphs (b)(1)(A) and (b)(1)(B) of this Rule.
- (3) The License to Land Flounder from the Atlantic Ocean is only valid when used on the vessel specified at the time of license issuance.
- (4) At the time of issuance, the applicant for the License to Land Flounder from the Atlantic Ocean shall specify the name of the master of the vessel for each License to Land Flounder from the Atlantic Ocean issued.
- (5) Applicants for a License to Land Flounder from the Atlantic Ocean shall complete an application form provided by the Division of Marine Fisheries and submit it to the Morehead City Office of the Division of Marine Fisheries for processing.
- (6) It is unlawful for the holder of the License to Land Flounder from the Atlantic Ocean to fail to notify the Morehead Office of the Division of Marine Fisheries within five days of change as to the master identified on the license.
- (7) Licenses to Land Flounder from the Atlantic Ocean are issued for the current license year and expire on

June 30.

(c) To obtain a Recreational Fishing Tournament License to Sell Fish, the following information is required for a proper application:

- (1) Full name, physical address, mailing address, date of birth, signature of the tournament organizer, name of tournament, and dates of tournament on the license application. If the licensee is not appearing before a representative of the Division, the licensee's signature must be notarized on the application.
- (2) Valid picture Picture identification of tournament organizer; acceptable forms of picture identification are driver's license, state identification card, military identification card, or passport, or if purchased by mail, a copy thereof.
- (3) The tournament organizer must apply with the Division of Marine Fisheries at least 30 days prior to the starting date of the tournament.

(d) To obtain a Land or Sell License, the following information is required for a proper application:

- (1) Full name, physical address, mailing address, date of birth, and signature of the responsible party or master for the vessel on the license application. If the licensee is not appearing before a representative of the Division, the licensee's signature on the application must be notarized on the application;
- (2) Valid picture Picture identification of responsible party or master; acceptable forms of picture identification are driver's license, state identification card, military identification card, or passport or if applying by mail, a copy thereof;
- (3) Valid documentation papers or current motor boat registration or copy thereof when purchasing a commercial fishing vessel registration. If an application for transfer of documentation is pending, a copy of the pending application and a notarized bill of sale may be submitted.

Fees will be based on the vessel's homeport as it appears on the U.S. Coast Guard documentation papers or the State in which the vessel is registered.

(e) Proof of residency in North Carolina for:

- (1) Standard Commercial Fishing License or Retired Standard Commercial Fishing License shall be:
  - (A) a notarized certification from the applicant that the applicant is a resident of the State of North Carolina as defined by G.S. 113-130(4) and
  - (B) a notarized certification from the applicant that a North Carolina State Income Tax Return was filed for the previous calendar or tax year as a North Carolina resident; or
  - (C) a notarized certification that the applicant was not required to file a North Carolina State Income Tax Return for the previous calendar or tax year; or
  - (D) military identification, military dependent identification and permanent change of station orders or assignment orders substantiating

individual's active duty assignment at a military facility in North Carolina.

- (2) All other types of licenses:
  - (A) North Carolina voter registration card; or
  - (B) Valid North Carolina Driver's License; or
  - (C) Valid North Carolina Certificate of Domicile; or
  - (D) Valid North Carolina Identification Card issued by the North Carolina Division of Motor Vehicles; or
  - (E) Military identification, military dependent identification and permanent change of station orders or assignment orders substantiating individual's active duty assignment at a military facility in North Carolina.

(f) Applications submitted without complete and required information will be deemed incomplete and will not be considered further until resubmitted with all required information.

(g) License holders are required to notify the Division of Marine Fisheries within 30 days of a change of address.

(h) Licenses are available at Offices of the Division or by mail from the Morehead City Office, unless otherwise specified. In addition, Recreational Commercial Gear Licenses are available at Wildlife Service Agents who have been designated as agents of the Department.

*History Note: Authority G.S. 113-134; 113-168; 113-168.1; 113-168.2; 113-168.3; 113-168.4; 113-168.5; 113-168.6; 113-169; 113-169.2; 113-169.3; 113-169.4; 113-169.5; 113-171.1; 143B-289.52;*

*Eff. January 1, 1991;*

*Amended Eff. July 1, 1997; March 1, 1994;*

*Temporary Amendment Eff. October 2, 1999; July 1, 1999.*

#### **.0109 ASSIGNMENT OF SCFL**

(a) The Division of Marine Fisheries will provide assignment forms upon issuance of the Standard Commercial Fishing License. Assignment must be made on the Division assignment forms. On the assignment form, the Standard Commercial Fishing License holder must designate what, if any, endorsements are included in the assignment. Endorsements may not be assigned independent of the Standard Commercial Fishing License. It is unlawful for the Standard Commercial Fishing License holder to fail to submit the completed assignment form to the Morehead City Division Office in person or by mail. An assignment is in effect from the date specified on the assignment form and when:

- (1) assignment form is properly completed;
- (2) signatures of the current license holder and the assignee are notarized; and
- (3) assignee has in their possession the original actual Standard Commercial Fishing License with endorsements of the current license holder.

(b) Assignments terminate when:

- (1) date specified on the assignment form is reached; or
- (2) licensee or assignee is determined ineligible for a

license or assignment; or

(3) Division receives a notarized statement from the current license holder stating a revised date for an earlier assignment termination; or

(4) upon the licensee or assignee's death; or

(5) the Standard Commercial Fishing License expires.

If the properly completed assignment form is not received by the Division within five days from the date it was signed, the assignment is null and void. For an extension of time for assignments, a new assignment form must be completed in accordance with Subparagraphs (a)(1) - (a)(3) of this Rule.

(c) It is unlawful for an individual assigned a Standard Commercial Fishing License to fail to have available ready at hand for inspection all required documents as stated under G.S. 113-168.1. The assignee when involved in a commercial fishing operation must have the original actual Standard Commercial Fishing License and any assigned endorsements and a copy of the assignment form in their possession ready for inspection.

(d) All landings occurring during the time of the assignment will be credited to the Standard Commercial Fishing License holder, not the assignee.

(e) It is unlawful to be assigned more than a single Standard Commercial Fishing License at any one time. It is unlawful to assign a Standard Commercial Fishing License to more than one individual at any one time. Assignments can only be made by the person issued the Standard Commercial Fishing License and can not be further assigned by assignees. Masters identified on the Standard Commercial Fishing License of corporations consisting of an individual fishing vessel may not assign such licenses.

(f) It is unlawful for a person to accept assignment of a Standard Commercial Fishing License for which they are ineligible. A nonresident is not eligible for assignment of a resident Standard Commercial Fishing License.

(g) Assignments submitted without complete and required information will be deemed not in effect and will not be considered further until resubmitted with all required information.

(h) It is unlawful for any assignee of a Standard Commercial Fishing License not to return the assignment and the Standard Commercial Fishing License with any assigned endorsements to the assignor of that license within five days of notice that the assignment has been terminated or a demand by the assignor to return the license.

*History Note:* Authority G.S. 113-134; 113-168.1; 113-168.2; 113-168.5; 143B-289.52;

*Eff. January 1, 1991;*

*Temporary Amendment Eff. October 2, 1999; July 1, 1999.*

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**Rule-making Agency:** Coastal Resources Commission

**Rule Citation:** 15A NCAC 7H .2501-.2505

**Effective Date:** October 2, 1999

**Findings Reviewed and Approved by:** Beecher R. Gray

**Authority for the rule-making:** G.S. 113A-24; 113A-102(b); 113-107;

**Reason for Proposed Action:** *This Rule will provide relief to victims of Hurricane Floyd by deferring permit fees and expediting permit processes for rebuilding hurricane damaged structures*

**Comment Procedures:** *Comments may be submitted to Doug Huggett, NC Division of Coastal Management, 1638 Mail Service Center, Raleigh, NC 27699-1638.*

## CHAPTER 7 - COASTAL MANAGEMENT

### SUBCHAPTER 7H - STATE GUIDELINES FOR AREAS OF ENVIRONMENTAL CONCERN

#### SECTION .2500 - EMERGENCY GENERAL PERMIT FOR REPLACEMENT OF STRUCTURES, THE RECONSTRUCTION OF PRIMARY OR FRONTAL DUNE SYSTEMS, AND THE MAINTENANCE EXCAVATION OF EXISTING CANALS, BASINS, CHANNELS, OR DITCHES, DAMAGED, DESTROYED, OR FILLED IN BY 1999 HURRICANES OR TROPICAL STORMS, PROVIDED ALL REPLACEMENT, RECONSTRUCTION AND MAINTENANCE EXCAVATION ACTIVITIES CONFORM TO ALL CURRENT STANDARDS

##### .2501 PURPOSE

(a) This permit shall allow for:

(1) the replacement of structures that were located within the estuarine system and/or public trust Areas of Environmental Concern and that were destroyed or damaged beyond 50 percent of the structure's value as a result of any 1999 hurricane or tropical storm;

(2) a one time per property fee deferment for the reconstruction or repair by beach bulldozing of hurricane or tropical storm damaged frontal or primary dune systems; and

(3) a one time per property fee deferment for maintenance dredging activities within existing basins, canals, channels, and ditches.

(b) Structure replacement, dune reconstruction, and maintenance excavation activities authorized by this permit shall conform with all current use standards and regulations. The structural replacement component of this general permit shall only be applicable where the structure was in place and serving its intended function as of September 4, 1999, and shall not apply within the Ocean Hazard System of Areas of

Environmental Concern (AEC) or waters adjacent to these AECs with the exception of those portions of shoreline that feature characteristics of Estuarine Shorelines. Such features include the presence of wetland vegetation, lower wave energy, and lower erosion rates than in the adjoining Ocean Erodible Area.

*History Note: Authority G.S. 113A-107; 113A-118.1; Temporary Adoption Eff. October 2, 1999.*

## .2502 APPROVAL PROCEDURES

(a) The applicant must contact the Division of Coastal Management and request approval for structural replacement, dune reconstruction, or maintenance excavation. The applicant shall provide information on site location, dimensions of the project area, and his or her name and address.

(b) The applicant must provide:

- (1) Description of the extent of repair, replacement, reconstruction, or maintenance excavation needed, including dimensions and shoreline length;
- (2) In the case of structural replacements, any additional documentation confirming the existence of the structure prior to the hurricane or tropical storm, such as surveys, previous permits, photographs or videos.

(c) For projects involving the excavation or filling of any area of estuarine water, the applicant must provide confirmation that the adjacent riparian property owners have been notified by certified mail of the proposed work. Such notice shall instruct adjacent property owners to provide any comments on the proposed development in writing for consideration by permitting officials to the Division of Coastal Management within 10 days of receipt of the notice, and, indicate that no response shall be interpreted as no objection. DCM staff shall review all comments and determine, based on their relevance to the potential impacts of the proposed project, if the proposed project can be approved by this General Permit. If DCM staff finds that the comments are worthy of more in-depth review, the applicant shall be notified that he or she must submit an application for a major development permit.

(d) No work shall begin until a meeting is held with the applicant and appropriate Division of Coastal Management representative. Written authorization to proceed with the proposed development may be issued during this meeting.

(e) Replacement, reconstruction or maintenance excavation activities must be completed on or before October 1, 2000.

(f) Authorizations under this General Permit shall not be issued after October 1, 2000.

*History Note: Authority G.S. 113A-107; 113A-118.1; Temporary Adoption Eff. October 2, 1999.*

## .2503 PERMIT FEE

The standard permit fee of fifty dollars (\$50.00) has been deferred for this General Permit.

*History Note: Authority G.S. 113A-107; 113A-118.1; Temporary Adoption Eff. October 2, 1999.*

## .2504 GENERAL CONDITIONS

(a) This permit authorizes only the replacement of damaged or destroyed structures, the reconstruction of frontal or primary dunes, and maintenance excavation activities conforming to the standards described in this Section.

(b) This permit does not authorize the replacement of any structure within any Ocean Hazard Area of Environmental Concern, with the exception of those portions of shoreline within the Ocean Hazard AEC that feature characteristics of Estuarine Shorelines. Such features include the presence of wetland vegetation, lower wave energy, and lower erosion rates than in the adjoining Ocean Erodible Area.

(c) Individuals shall allow authorized representatives of the Department of Environment and Natural Resources to make periodic inspections at any time deemed necessary in order to be sure that the activity being performed under authority of this general permit is in accordance with the terms and conditions prescribed in this Section.

(d) This general permit shall not be applicable to proposed construction when the Department determines after any necessary investigations, that the proposed activity would adversely affect areas which possess historic, cultural, scenic, conservation, or recreational values.

(e) This general permit shall not be applicable to proposed construction where the Department determines that authorization may be warranted, but that the proposed activity might significantly affect the quality of the human environment, or unnecessarily endanger adjoining properties. In those cases, it shall be necessary to review the proposed project under the established CAMA Major or Minor Development Permit review procedures.

(f) This permit does not eliminate the need to obtain any other required state, local, or federal authorization.

(g) This permit does not preclude an individual from applying for other authorizations for structure replacement that may be available under the Coastal Area Management Act and the Rules of the Coastal Resources Commission. However, permit fees for any such authorization shall not be waived or deferred.

*History Note: Authority G.S. 113A-107; 113A-118.1; Temporary Adoption Eff. October 2, 1999.*

## .2505 SPECIFIC CONDITIONS

(a) The replacement of a damaged or destroyed structure shall take place within the footprint and dimensions that existed immediately prior to the damaging hurricane or tropical storm. No structural enlargement or additions shall be allowed.

(b) Structure replacement, dune reconstruction, and maintenance excavation authorized by this permit shall conform to the existing use standards and regulations for exemptions, minor development permits and major development permits, including general permits. These use standards include, but are not limited to:

- (1) 15A NCAC 7H .0208(b)(6) for the replacement of docks and piers;
- (2) 15A NCAC 7H .0208(b)(7) for the replacement of bulkheads and shoreline stabilization measures;

(3) 15A NCAC 7H .0208(b)(9) for the replacement of wooden and riprap groins;  
(4) 15A NCAC 7H .1500 for maintenance excavation activities;  
(5) 15A NCAC 7H .1800 for beach bulldozing landward of the mean high water mark.  
(c) The replacement of an existing dock or pier facility, including associated structures, marsh enhancement breakwaters or groins shall be set back 15 feet from the adjoining property lines and the riparian access dividing line. The line of division of riparian access shall be established by drawing a line along the channel or deep water in front of the property, then drawing a line perpendicular to the line of the channel so that it intersects with the shore at the point the upland property line meets the water's edge. Application of this Rule may be aided by reference to the approved diagram in 15A NCAC 7H .1205(q), illustrating the rule as applied to various shoreline configurations. Copies of the diagram may be obtained from the Division of Coastal Management. When shoreline configuration is such that a perpendicular alignment can not be achieved, the pier shall be aligned to meet the intent of this Rule to the maximum extent practicable. The setback may be waived by written agreement of the adjacent riparian owner(s) or when the two adjoining riparian owners are co-applicants. Should the adjacent property be sold before replacement of the structure begins, the applicant shall obtain a written agreement with the new owner waiving the minimum setback and submit it to the Division of Coastal Management prior to initiating any construction of the structure.

*History Note: Authority G.S. 113A-107; 113A-118.1; Temporary Adoption Eff. October 2, 1999.*

## TITLE 19A - DEPARTMENT OF TRANSPORTATION

**Rule-making Agency:** NC Department of Transportation - Division of Highways

**Rule Citation:** 19A NCAC 2E .0207, .0215, .0226, .0602

**Findings Reviewed and Approved by:** Beecher R. Gray

**Effective Date of Temporary Rule:** November 16, 1999

**Proposed Effective Date of Permanent Rule:** August 1, 2000

**Authority for the rule-making:** G.S. 136-130; 136-133

**Reason for Proposed Action:** Rules are proposed for amendment and adoption to enable recent action by the North Carolina General Assembly. Senate Bill 254, ratified July 21, 1999, amends G.S. 136-133 to increase the permit fee the department may charge for outdoor advertising structures and directional signs. The bill also allows the department to issue a stop work order if a permit has not been issued for the

construction of outdoor advertising. The bill also amends Chapter 136 by adding a new section, 18.7, to allow the department to charge a \$200 fee for a selective vegetation removal permit.

**A Public Hearing** will be conducted at 3:00 p.m. and 7:00 p.m. on November 16, 1999 at the Highway Building Auditorium, 1 South Wilmington Street, Raleigh, NC 27611.

**Comment Procedures:** Any interested person may submit written comments on proposed rules by mailing the comments to Emily Lee, Department of Transportation, PO Box 25201, Raleigh, NC 27611, by December 1, 1999.

### Fiscal Impact

State	Local	Sub. None
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## CHAPTER 2 - DIVISION OF HIGHWAYS

### SUBCHAPTER 2E - MISCELLANEOUS OPERATIONS

#### SECTION .0200 - OUTDOOR ADVERTISING

##### .0207 FEES AND RENEWALS

(a) Initial and annual renewal fees shall be required to be paid by the sign owners of the outdoor advertising structures for each permit requested in order to defer the costs of the administrative and inspection expenses incurred by the Division of Highways of the Department of Transportation in administering the permit procedures.

(b) An initial nonrefundable fee of sixty dollars (\$60.00) one hundred and twenty dollars (\$120.00) per outdoor advertising structure shall be submitted with each application for a permit, permit application and an annual nonrefundable renewal fee of thirty dollars (\$30.00) sixty dollars (\$60.00) per sign structure shall be paid by the sign owners of the outdoor advertising structures on or before April 15 of each year to the appropriate district engineer. The Sign owners of outdoor advertising structures must return the information required under Paragraph (c) of this Rule with their annual renewal fees.

(c) The Division of Highways of the Department of Transportation shall send an invoice for the annual renewal fee to each owner of an outdoor advertising structure sign owner/permit holder with a valid permit for the annual renewal fee. permit. For a renewal to be approved, the owner of an outdoor advertising structure sign owner/permit holder must submit the signed invoice along with the renewal fee. For renewal of a permit which was issued after March 1, 1990 and for which the lease or property interests or right of entry agreement as required under 19A NCAC 2E .0206 does not continue in full force and effect through the date of the next renewal invoice, the owner of the outdoor advertising structure must submit an updated memorandum of lease, or other proof of interest or right of entry agreement within 30 days documents

have been executed. If requested, the permit holder/sign owner shall provide a valid lease or other proof of interest in the land where the sign is located. Failure to submit updated documents this documentation within 30 days of execution written request from the District Engineer by certified mail will subject the permit to revocation under 19A NCAC 2E .0210(12). 2E .0210(4).

History Note: Authority G.S. 136-130; 136-133; Eff. July 1, 1978;  
Amended Eff. November 1, 1993; October 1, 1991; December 1, 1990; July 1, 1986;  
Temporary Amendment Eff. November 16, 1999.

#### **.0215 PERMITS FOR DIRECTIONAL SIGNS**

A permit shall be required for the construction or maintenance of any directional sign permitted by Rule .0214 of this Subchapter, except that no permit shall be required to erect or maintain directional signs to religious sites or for the construction and maintenance of official signs and notices, public utility signs, service club and religious notices, and public service signs, as defined by Rule .0201(10)(a),(b), (c), and (18) .0201(j), (k), and (t) of this Subchapter. An initial fee of twenty dollars (\$20.00) forty dollars (\$40.00) shall be paid with each application for a permit, to cover the administrative and inspection costs. permit. An annual renewal of each permit, along with a renewal fee of thirty dollars (\$30.00), shall be required in order to maintain such directional signs. A renewal fee of fifteen dollars (\$15.00) shall be paid with each application for annual renewal of the permit. Permit and renewal of the permits may be obtained from the district engineer.

History Note: Authority G.S. 136-130; 136-133; Eff July 1, 1978;  
Amended Eff. November 1, 1993; July 1, 1986, March 1, 1983, June 15, 1981;  
Temporary Amendment Eff. November 1, 1999.

#### **.0226 ORDER TO STOP WORK ON UNPERMITTED OUTDOOR ADVERTISING**

If outdoor advertising is under construction and the Department determines that a permit has not been issued for the outdoor advertising as required under the provisions of this chapter, the District Engineer is authorized to require that all work on the sign cease until the sign owner shows that the sign does not violate the provisions of this chapter. The order to cease work shall be in writing and prominently posted on the outdoor advertising structure, and no further notice of the stop work order is required. The failure of a sign owner to comply immediately with the stop work order shall subject the outdoor advertising structure to removal by the Department of Transportation or its agents.

(1) For purposes of this Section only, outdoor advertising is under construction when it is in any phase of construction prior to the attachment and display of the advertising message in final position for viewing by

(2) the traveling public.  
(2) The cost of removing outdoor advertising by the Department of Transportation or its agents shall be assessed against the owner of the unpermitted outdoor advertising.  
(3) No stop work order may be issued when the Department of Transportation process agent has been served with a court order allowing the sign to be constructed. The District Engineer shall consult with the Outdoor Advertising coordinator to determine whether such an order has been served on the Department.

History Note: Authority G.S. 136-130; 136-133;  
Temporary Adoption Eff. November 16, 1999.

#### **SECTION .0600 - SELECTIVE VEGETATION REMOVAL POLICY**

##### **.0602 REQUESTS FOR PERMITS**

(a) Applications for selective vegetation thinning, pruning, or removal (exclusive of grasses) shall be made by the owner of the business or advertisement to the appropriate Division Engineer of the North Carolina Department of Transportation, Division of Highways. A fee of two hundred dollars (\$200.00) must accompany each application.

(b) Selective vegetation thinning, pruning, or removal will shall be permitted only for the permittee's facilities adjacent to highway right of way at locations where such facilities have been constructed. The provisions will shall not be used to provide visibility to undeveloped property.

(c) Applications must be accompanied by a sketch showing the requested limits of the selective thinning, pruning, or removal of vegetation. For outdoor advertising displays, these limits shall be restricted to a maximum of 125 feet, in each direction, measured along the highway right of way line, from the center of the advertising display. For commercial, industrial, institutional and office facilities, the limits of selective clearing or thinning shall be restricted to the area of right of way immediately adjacent to frontage property of the facility, but not to exceed 1,000 linear feet.

(d) Applications for permits for vegetation cutting to be performed on State Highway right of way must be accompanied by written authorization(s) by the underlying fee owner(s) of all property upon which cutting is to take place, provided that where the right of way was secured in fee simple by the Department, such authorization will shall not be required. The application must also be accompanied by written authorization of all owners of property abutting the area to be cut.

(e) The selective vegetation control request will shall be investigated on site by Maintenance and Roadside Environmental personnel and a representative of the applicant.

(f) If the application for vegetation cutting is for a site located within the corporate limits of a City or Town, local officials will shall be given the opportunity to review the application if the City or Town has previously advised the Division Engineer of their desire to review such applications.

**History Note:** Filed as a Temporary Rule Eff. April 13, 1982 for a Period of 48 Days to Expire on June 1, 1982; Authority G.S. 136-18(5); 136-18(7); 136-18(9); Eff. June 1, 1982; Amended Eff. November 16, 1991; December 1, 1990; August 1, 1985; June 2, 1982; Temporary Amendment Eff. November 16, 1999.

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## **TITLE 21 - OCCUPATIONAL LICENSING BOARDS**

### **CHAPTER 63 - SOCIAL WORK CERTIFICATION AND LICENSURE BOARD**

**Rule-making Agency:** North Carolina Social Work Certification and Licensure Board

**Rule Citation:** 21 NCAC 63.0101-.0105; .0201-.0202, .0204-.0213, .0301-.0306; .0401 - .0404; .0501, .0503; .0507 - .0509; .0601 - .0604, .0607, .0609, .0701 - .0704; .0801 - .0809, .0820

**Effective Date:** October 1, 1999

**Findings Reviewed by Beecher R. Gray:** Approved

**Authority for the rule-making:** G.S. 1999-313; G.S. 90B

**Reason for Proposed Action:** Legislation enacted by the 1999 Session of the General Assembly amended all of the statutes governing the occupational licensing board that regulates social workers, which are found at Chapter 90B of the General Statutes. These comprehensive statutory changes necessitated the amendment or repeal, and in some instances the adoption, of all the current rules governing this Board, which are found at 21 NCAC 63.

**Comment Procedures:** If you wish to make comments please contact Grady L. Valentine, Jr., Asst. Attorney General, Health & Public Assistance Section, North Carolina Department of Justice, PO Box 629, Raleigh, NC 27602-0629; (919) 716-6840.

## **SECTION .0100 - GENERAL**

### **.0101 PURPOSE**

It is the purpose of the Social Worker Certification and Licensure Act to protect the public by establishing minimum minimal standards for qualification, training and experience for those who voluntarily seek to represent themselves to the public as certified social workers. workers or licensed clinical social workers. This act shall protect the public and promote high standards in the practice of social work.

**History Note:** Authority G.S. 90B-2; S.L. 1999-313; Eff. August 1, 1987; Temporary Amendment Eff. October 1, 1999.

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### **.0102 DEFINITIONS**

Whenever used in this Chapter, the definitions set forth in G.S. 90B-3 are herein incorporated by reference. The following definitions apply in this Chapter:

- (1) NCSWCLB - this designation represents the North Carolina Social Work Certification and Licensure Board.
- (2) CSW - this designation represents the certified social worker level of certification.
- (3) CMSW - this designation represents the certified master social worker level of certification.
- (4) CSWM - this designation represents the certified social work manager level of certification.
- (5) LCSW - this designation represents the licensed clinical social worker level of certification.
- (6) P-LCSW - this designation represents the provisionally licensed clinical social worker level of certification.
- (7) Reprimand. Reprimand is a public rebuke and sanction by the Board for practice misconduct. A reprimand typically is given for less severe offenses and may require specific follow-up actions by the social worker.
- (8) Censure. Censure is an act involving severe condemnation and a sanction by the Board for practice misconduct. Censuring is typically for severe offenses and may require specific follow-up actions by the social worker.
- (9) Probation. Probation is a stay of revocation or suspension allowing limited practice within preconditions established by the Board. Violations of these conditions can result in revocation.
- (10) Suspension. Suspension is the withdrawal of privilege to practice for a specific period of time.
- (11) Revocation. Revocation is the withdrawal of privilege to practice as a certified or licensed social worker in the State of North Carolina.

**History Note:** Authority G.S. 90B-3; S.L. 1999-313; Eff. August 1, 1987; Temporary Amendment Eff. October 1, 1999.

### **.0103 PROHIBITIONS**

State public agencies including those private agencies or corporations that receive state funds shall not impose certification as a requirement for obtaining or continuing employment.

**History Note:** Authority G.S. 90B-4; S.L. 1999-313; Eff. August 1, 1987; Temporary Repeal Eff. October 1, 1999.

### **.0104 ORGANIZATION OF THE BOARD**

The North Carolina Certification Board for Social Work is composed by law of seven members appointed by the governor

to staggered terms of three years. The composition of the board shall include four certified social workers (two certified social workers and two certified clinical social workers). Among the social workers, one member shall be employed in the field of social work education, one member from the private sector and one member from the public sector. The three remaining members shall be from the general public. The composition of the Board shall be in accordance with G.S. 90B-5. The North Carolina Social Work Certification and Licensure Board shall elect a chairperson, vice chairperson and secretary-treasurer from its membership to serve for a term of at least one year. The Board shall hold at least eight meetings each year and four members shall at all times constitute a quorum. Members of the Board are expected to attend all meetings.

*History Note: Authority G.S. 90B-5; S.L. 1999-313;  
Eff. August 1, 1987;  
Temporary Amendment Eff. October 1, 1999.*

#### **.0105 MEETINGS**

The Board shall hold at least eight meetings each year and four members shall at all times constitute a quorum. Members of the Board are expected to attend all meetings. Meetings of the board Board, formal or informal, shall be open to the public. Dates, times and places of meetings shall be furnished to anyone requesting the information and made available to the press.

*History Note: Authority G.S. 90B-6; S.L. 1999-313;  
Eff. August 1, 1987;  
Temporary Amendment Eff. October 1, 1999.*

### **SECTION .0200 - CERTIFICATION AND LICENSURE**

#### **.0201 DEFINITIONS**

The following definitions apply to the levels of certification in this Section:

- (1) Related human services fields shall include psychology, sociology, counseling, rehabilitation, criminal justice, public policy, public administration, and human resources.
- (2) Two years of experience shall mean 3,000 clock hours of work or employment for a fee or salary while engaged in the practice of social work functions. (1500 hours of work for a fee or salary per 12 month period.) Practicum or internship experience taken as part of an educational program are not included.
- (3) Appropriate supervision (clinical) shall mean post-master's or post-doctoral experience directly supervised by a certified clinical social worker as defined in this Act. A minimum of 100 hours of group or individual supervision is required. 75 of the 100 hours must be individual supervision.
- (4) Clinical setting shall mean any school, hospital, community mental health center, university counseling center, family or social services agency, or supervised independent practice. Such settings may

be under public or private auspices and provide psychotherapeutic or social intervention for psychosocial problems of individuals, couples, families or groups.

- (5) Administrative setting shall mean any setting where the delivery of social work services are directed, supervised, planned or coordinated. Activities include, but are not necessarily limited to, policy development and implementation, management, program evaluation, planning and staff development.
- (6) Appropriate supervision and training (manager) shall mean course work or workshops in organizational and community services or two years (3,000 hours) of paid employment under supervision in an administrative setting.

*History Note: Authority G.S. 90B-3; 90B-5; 90B-6; S.L. 1999-313;  
Eff. August 1, 1987;  
Amended Eff. September 1, 1993;  
Temporary Repeal Eff. October 1, 1999.*

#### **.0202 APPLICATION PROCESS**

Applications, inquiries and forms are to be obtained from and returned to the Board, North Carolina Certification Board for Social Work. Applicants must submit only forms obtained directly from the board Board office.

*History Note: Authority G.S. 90B-7; S.L. 1999-313;  
Eff. August 1, 1987;  
Temporary Amendment Eff. October 1, 1999.*

#### **.0204 REFERENCES**

The applicant will shall have a minimum of three references. Current members of the board, relatives Relatives of applicants or subordinates of applicants may not submit references for applicants. A current Board member shall not submit a reference for an applicant unless he/she is the applicant's current or only social work supervisor. In such a case the Board member may submit a reference, but he/she shall excuse himself/herself from review of that particular applicant.

- (1) Two of the references must come from individuals who have been closely associated with the applicant in the practice of social work.
- (2) One reference must be from one who has been or is currently a supervisor in a social work settings. (If a board member is the current supervisor or has been the only supervisor of an applicant, he/she should excuse himself/herself from review of that particular applicant.)

*History Note: Authority G.S. 90B-7; S.L. 1999-313;  
Eff. August 1, 1987;  
Temporary Amendment Eff. October 1, 1999.*

#### **.0205 - ACADEMIC QUALIFICATIONS**

The academic qualifications set forth in G.S. 90B-7 for Certified Social Workers, Certified Master Social Workers, Certified Clinical Social Workers and Certified Social Work Managers are herein incorporated by reference.

*History Note: Authority G.S. 90B-7; S.L. 1999-313; Eff. August 1, 1987; Temporary Repeal Eff. October 1, 1999.*

#### **.0206 ACADEMIC EXEMPTIONS**

The applicant may be exempt from the academic qualifications required under this Chapter if he/she was engaged in the practice of social work before January 1, 1984 in the areas of certified social workers and certified social work managers. This exemption shall apply upon passing the board examination and satisfying the experience requirements for certification in the particular classification.

*History Note: Authority G.S. 90B-7; 90B-10; S.L. 1999-313; Eff. August 1, 1987; Temporary Repeal Eff. October 1, 1999.*

#### **.0207 COMITY**

If a candidate is currently certified, registered or licensed as a social worker by a similar board in another state, the North Carolina Board may, at its discretion, waive the formal examination requirements of a candidate, provided that the North Carolina Board accepts the standards and qualifications required for the practice of social work in the candidate's licensed or certifying state as substantially equivalent to those required by the State of North Carolina.

*History Note: Authority G.S. 90B-8; S.L. 1999-313; Eff. August 1, 1987; Temporary Repeal Eff. October 1, 1999.*

#### **.0208 APPLICATION FEE**

An initial application fee of fifty one hundred dollars (\$50) (\$100.00) will be assessed for processing each application. If an applicant seeks certification for a second level, within a 12 month period of his/her initial application, he/she shall be assessed an additional fee of twenty-five dollars (\$25).

*History Note: Authority G.S. 90B-6.2; S.L. 1999-313; Eff. August 1, 1987; Temporary Amendment Eff. October 1, 1999.*

#### **.0209 ELIGIBILITY**

The board shall review each application to determine an applicant's eligibility for a particular level of certification. An applicant will be notified in writing if he/she is ineligible for one the requested level of certification. He/she may then apply for another level of certification. If an applicant is found to be ineligible for any level of certification, he/she may not sit for the any examination.

*History Note: Authority G.S. 90B-6; S.L. 1999-313; Eff. August 1, 1987; Temporary Amendment Eff. October 1, 1999.*

#### **.0210 PROVISIONAL LICENSES**

(a) The Board shall issue a provisional license certificate pursuant to any person meeting the requirements in G.S. 90B-7(f).

(b) Applications and forms are to be obtained from and returned to the North Carolina Board for Social Work, Office.

(c) An application fee of fifty one hundred dollars (\$50.00) (\$100.00) will be assessed for processing each application.

(d) All provisional applicants for provisional licenses who have not met the requirements for of two years of supervised clinical social work experience shall receive on-going supervision appropriate supervision, as defined in Rule .0204(a)(2) of this Section, until this requirement is satisfied.

(e) The provisional certificate license shall be renewed every six months by submission to the Board of the appropriately completed renewal and supervision form 30 days prior to the each renewal date. Prior to engaging in the practice of clinical social work, applicants must demonstrate in writing to the satisfaction of the Board that they have immediate access to a licensed mental health professional(s) who has (have) agreed to provide to them clinical consultation or supervision when such is needed to assure that standards of clinical social work practice are maintained. Provisionally licensed clinical social workers shall immediately notify the Board in writing of any change in such access.

(f) All provisional licensees shall submit reports of their clinical social work experience and supervision on the appropriate Board form(s) every six months for review and evaluation by the Board.

(f)(g) All provisional Provisional licensees certified applicants who desire to obtain become Certified Licensed Clinical Social Worker Workers certification shall complete the application process for the Licensed Certified Clinical Social Worker classification and submit the application fee of fifty one hundred dollars (\$50.00) (\$100.00) thirty days prior to the expiration of the provisional license.

*History Note: Authority G.S. 90B-6; 90B-7; S.L. 1999-313; Eff. August 1, 1993; Temporary Amendment Eff. October 1, 1999.*

#### **.0211 WORK EXPERIENCE**

(a) For the Licensed Clinical Social Worker credential:

(1) Two years of post-MSW clinical social work experience shall mean 3,000 clock hours of work or employment for a fee or salary while engaged in the practice of clinical social work. The 3,000 hours shall be accumulated over a period of time not less than two years nor more than six years, with no more than 1,500 hours accumulated in any one year. Practicum or internship experience gained as part of any educational program shall not be included.

(2) Appropriate supervision shall mean supervision in person by a licensed clinical social worker, as defined in G.S. 90B-3, of an applicant during the applicant's two years of post-MSW clinical social work experience. Appropriate supervision shall be that which is provided on a regular basis throughout the applicant's two years of experience with at least one hour of supervision during every 30 hours of experience. A minimum of 100 hours of individual or group supervision is required, of which at least 75 of the 100 hours shall be individual supervision.

(b) For the Certified Social Work Manager credential:

(1) Two years of post social work degree experience shall mean 3,000 clock hours of employment for a salary while engaged in administrative social work duties including, but not limited to, policy and budgetary development and implementation, supervision and management, program evaluation, planning, and staff development. Such duties shall be carried out in an administrative setting where social work and/or other mental health services are delivered. The 3,000 hours shall be accumulated over a period of time not less than two years nor more than six years, with no more than 1500 hours accumulated in any one year. Practicum or internship experience gained as part of any educational program shall not be included.

(2) Appropriate supervision shall mean supervision in person by a social work administrator certified by the Board on at least one level who has a minimum of five years of administrative experience in a social work or mental health setting. Appropriate supervision shall be that which is provided on a regular basis throughout the applicant's two years of administrative social work experience. A minimum of 100 hours of individual or group supervision is required, of which at least 50 of the 100 hours shall be individual supervision.

History Note: Authority G.S. 90B-7; S.L. 1999-313; Temporary Adoption Eff. October 1, 1999.

## .0212 DUPLICATE LICENSES OR CERTIFICATES

A duplicate certificate or license shall be issued by the Board to a current certificate holder or licensee upon receipt of a written request and payment of a twenty-five dollar (\$25.00) fee.

History Note: Authority G.S. 90B-6.2; S.L. 1999-313; Temporary Adoption Eff. October 1, 1999.

## .0213 TEMPORARY LICENSES

The Board may issue a temporary license pursuant to G.S. 90B-8(b), that is valid for no more than 30 days, upon receipt of a twenty five dollar (\$25.00) fee.

History Note: Authority G.S. 90B-6.2; 90B-8; S.L. 1999-313; Temporary Adoption Eff. October 1, 1999.

## SECTION .0300 - EXAMINATIONS

### .0301 QUALIFYING EXAMINATIONS

The board shall administer to all approved applicants for certification, a written examination at least once a year. The exam shall be given in a reasonable, geographic area within the state. A Any national examination selected by the board Board, or any examination developed by the Board, shall serve to evaluate the qualifications of each applicants applicant for certification or licensure. Any such examination shall be administered at least once a year in a reasonable geographic area within the State.

History Note: Authority G.S. 90B-6; 90B-7; 90B-8; S.L. 1999-313;

Eff. August 1, 1987;

Amended Eff. August 1, 1990;

Temporary Amendment Eff. October 1, 1999.

### .0302 REPORTING OF SCORES

Each applicant for certification or licensure shall be informed in writing whether he/she has passed the examination. If an applicant fails the examination, he/she shall receive his/her numerical score. If his/her failing score is within three points below the cut passing score he/she may have his/her test hand-scored within a ninety-day period, period by completing a form on the back of the handbook.

History Note: Authority G.S. 90B-6; 90B-8; S.L. 1999-313; Eff. August 1, 1987;

Temporary Amendment Eff. October 1, 1999.

### .0303 RETAKING OF EXAMINATION

An applicant who has not passed an examination shall be allowed to retake such examination upon paying the required examination fee: fee of the cost of the examination plus forty dollars (\$40.00).

History Note: Authority G.S. 90B-6; S.L. 1999-313;

Eff. August 1, 1987;

Temporary Amendment Eff. October 1, 1999.

### .0304 CANCELLATION

An applicant who provides written cancellation that is received by the Board at least 30 days before the date of examination will receive a refund of the examination fee. An applicant whose who cancels in writing written cancellation is received by the Board less than 30 days before the date of examination shall not receive a refund of the examination fee. However, he/she may apply and to sit for another examination within 12 months of the missed examination without incurring any additional examination fee.

An applicant who fails to cancel in writing less than 30 days before the examination or who fails to appear for an examination may apply and sit for another examination within 12 months of the missed examination upon payment of fifty dollars (\$50).

examination fee. Such fee shall be paid not later than 60 days before the scheduled examination. An applicant whose written cancellation is received by the Board on or after the date of the examination, or an applicant who fails to appear for an examination, shall be required to reapply and pay another examination fee.

*History Note: Authority G.S. 90B-6; S.L. 1999-313;*

*Eff. August 1, 1987;*

*Temporary Amendment Eff. October 1, 1999.*

#### **.0305 REVIEW OF EXAMINATIONS BY UNSUCCESSFUL APPLICANTS**

(a) An applicant who has not successfully passed the certification or licensure exam may review his/her test booklet together with the appropriate answer sheet. In order to do so, the candidate applicant must:

- (1) Make make a written request for review of his/her examination directly to the board: Board;
- (2) The candidate may review the exam in the Office of the Board and in the presence of a board member: member;
- (3) The candidate may not take notes; or photocopy or ask questions regarding the any examination materials: materials;
- (4) The applicant must sign a statement of confidentiality regarding the contents of the exam, in order to review the examination booklet.
- (5) A candidate's scores will not be changed. Any questions will be transmitted to the national examination service for review. The North Carolina Board has the responsibility of obtaining a copy of the examination together with the candidate's answer sheet and the scoring key. The board shall maintain strict security.

(b) The Board has the responsibility of obtaining a copy of the examination together with the applicant's answer sheet and the scoring key. The Board shall maintain strict security of all testing materials.

(c) An applicant's score will not be changed by the Board, and any questions about the score will be transmitted to the national examination service for review.

*History Note: Authority G.S. 90B-6; S.L. 1999-313;*

*Eff. August 1, 1987;*

*Temporary Amendment Eff. October 1, 1999.*

#### **.0306 EXAMINATION FEES**

(a) An examination fee of fifteen dollars (\$15.00) forty dollars (\$40.00) plus the cost of the examination to the Board shall be assessed for administration and processing of any written examination.

(b) An applicant who fails to appear for an examination shall be assessed a fee of fifteen dollars (\$15.00) plus the cost of the examination to the Board in order to take the examination at a later date.

*History Note: Authority G.S. 90B-6.2; S.L. 1999-313;*

*Eff. August 1, 1987;*

*Amended Eff. September 1, 1993;*

*Temporary Amendment Eff. January 1, 1996;*

*Amended Eff. April 1, 1997;*

*Temporary Amendment Eff. October 1, 1999.*

### **SECTION .0400 - RENEWAL AND REINSTATEMENT OF CERTIFICATION OR LICENSURE**

#### **.0401 CONTINUING EDUCATION REQUIREMENTS**

(a) Continuing education for certification or licensure renewal is required to maintain professional knowledge and technical competency. Certification shall be afforded on a two year basis. However, certification shall expire on the second June 30 after certification has been issued. Renewal of certification shall be based on 40 hours of renewal credits within the two year cycle. Renewal of certification or licensure requires 40 hours of continuing education credits approved by the Board within each two year renewal cycle. However, if a certification or licensure is for less than a full two year two-year period, then renewal shall be accorded based on 30 hours of renewal credits. continuing education credits are required. One unit of credit is equal to one contact hour. One academic course semester hour semester-hour of credit shall be equivalent is equal to 15 clock hours. Credit for auditing an academic course shall be for actual clock hours attended during which instruction was given and shall not exceed the academic credit allowed. Continuing education activities may include:

- (1) academic social work courses taken for credit or audit;
- (2) formal agency-based staff development, seminars, institutes, workshops, mini courses or conferences oriented to social work practice, values, skills and knowledge;
- (3) cross-disciplinary offerings from medicine, law and the behavioral/social sciences or other disciplines, if such offerings are clearly related to social work practice, values, skills and knowledge;
- (4) self-directed learning projects with prior approval by the Board. The maximum maximal continuing education credit granted number for such projects is 20 clock hours per renewal period. A renewal unit Credit shall not be granted for for:
  - (A) identical programs completed within the same certification renewal period; period;
  - (B) job orientation orientation; or
  - (C) on the job training; and training.

(b) (5) during During each renewal period all certified and licensed social workers shall engage in a minimum of two hours two hours of continuing education focused on ethics.

*History Note: Authority G.S. 90B-6; 90B-9; S.L. 1999-313;*

*Eff. August 1, 1987;  
Amended Eff. September 1, 1993;  
Temporary Amendment Eff. October 1, 1999.*

**.0402 FORMS**

(a) Documentation for the completion of continuing education credits and biennial renewal shall be completed on the North Carolina Certification for Social Workers biennial renewal and continuing education reporting form. The form must be the original and must be completed and signed.

(b) Each renewal applicant is responsible for completing the required form. If an organization maintains such records the applicant must assure the form is completed and complies with all applicable rules and regulations. The form must be submitted at the time the applicant files for renewal of certification.

*History Note: Authority G.S. 90B-6; 90B-9; S.L. 1999-313;  
Eff. August 1, 1987;  
Temporary Repeal Eff. October 1, 1999.*

**.0403 RENEWAL FEES**

(a) A biennial renewal fee of fifty dollars (\$50.00) shall be assessed Fees for renewal of certificates or licenses which are due for renewal on or before June 30, 2000 shall be as follows:

- (1) For Certified Social Workers (CSW's) the renewal fee shall be fifty-five dollars (\$55.00).
- (2) For Certified Master Social Workers (CMSW's) the renewal fee shall be sixty-five dollars (\$65.00).
- (3) For Licensed Clinical Social Workers (LCSW's) the renewal fee shall be one hundred dollars (\$100.00).
- (4) For Certified Social Work Managers (CSWM's) the renewal fee shall be one hundred dollars (\$100.00).

(b) Fees for renewal of certificates or licenses which are due for renewal after June 30, 2000 shall be as follows:

- (1) For Certified Social Workers (CSW's) the renewal fee shall be sixty dollars (\$60.00).
- (2) For Certified Master Social Workers (CMSW's) the renewal fee shall be seventy-five dollars (\$75.00).
- (3) For Licensed Clinical Social Workers (LCSW's) the renewal fee shall be one hundred twenty-five dollars (\$125.00).
- (4) For Certified Social Work Managers (CSWM's) the renewal fee shall be one hundred twenty-five dollars (\$125.00).

(b) (c) Persons who fail to apply for renewal prior to the expiration date shall be assessed a minimum late renewal fee of fifteen dollars (\$15.00) whose applications for renewal are received by the Board after the renewal date of their certificate or license, but no later than 60 days after the renewal date, shall be assessed a late renewal fee of fifty dollars (\$50.00) in addition to any other applicable fees.

*History Note: Authority G.S. 90B-6; 90B-9(b); S.L. 1999-313;  
Eff. August 1, 1987;  
Amended Eff. August 1, 1990;  
Temporary Amendment Eff. October 1, 1999.*

**.0404 REINSTATEMENT**

(a) Persons whose certificate or license is suspended for failure to renew, pursuant to G.S. 90B-9(c), are prohibited from engaging in the practice of clinical social work and from holding themselves out as certified or licensed by the Board until they apply for and receive reinstatement of their certificate or license by the Board.

(b) Persons who apply for reinstatement after temporary retirement from the practice of social work, pursuant to G.S. 90B-9(d), or after their certificate or license was suspended for failure to renew, shall be assessed a reinstatement fee of one hundred dollars (\$100.00) in addition to any other applicable fees.

*History Note: Authority G.S. 90B-6.2; 90B-9; S.L. 1999-313;  
Temporary Adoption Eff. October 1, 1999.*

**SECTION .0500 - ETHICAL GUIDELINES**

**.0501 PURPOSE AND SCOPE**

(a) Ethical principles affecting the practice of social work are rooted in the basic values of society and the social work profession. The principal objective of the profession of social work is to enhance the dignity and well-being of each individual who seeks its services. It does so through the use of social work theory and intervention methods including psychotherapy.

(b) The primary goal of this code is to set forth principles to guide social workers' conduct in their profession. Violation of these standards may be considered gross unprofessional conduct and may constitute dishonest practice or incompetence in the practice of social work. Such violations may result in disciplinary action by the Board.

(c) The following ethical principles serve as a standard for social workers in their various professional roles, relationships and responsibilities. Social workers shall consider all the principles in the code that bear upon any situation on which ethical judgment is to be exercised, and to select a course of action consistent with the spirit as well as the letter of this code.

(d) Upon approval of certification, certification or licensure, each applicant shall review the these Ethical Guidelines Code of Ethics and return a signed statement to the Board agreeing to abide by these standards.

*History Note: Authority G.S. 90B-6; 90B-11; S.L. 1999-313;  
Eff. August 1, 1987;  
Amended Eff. March 1, 1994;  
Temporary Amendment Eff. October 1, 1999.*

**.0503 GENERAL PROFESSIONAL RESPONSIBILITIES**

(a) Social workers shall practice only within their sphere of competence. They shall accurately represent their abilities, education, training, credentials, and experience. They shall engage in continuing professional education to maintain and enhance their competence.

(b) As employees of institutions or agencies, social workers

are responsible for remaining alert to and attempting to moderate institutional pressures or policies that conflict with the standards of their profession. If such conflict arises, social workers' responsibility shall be to uphold the ethical standards of their profession.

(c) Social workers shall not, in any of their capacities, practice, condone, facilitate or collaborate with any form of discrimination on the basis of race, sex, sexual orientation, age, religion, socioeconomic status, or national origin.

(d) Social workers shall practice their profession in compliance with legal standards.

(e) Social workers shall not engage in settlement agreements that preclude reporting of ethical misconduct to the Board.

*History Note: Authority G.S. 90B-6; 90B-11; S.L. 1999-313; Eff. March 1, 1994;*

*Temporary Amendment Eff. October 1, 1999.*

**.0507 CONFIDENTIALITY AND RECORD KEEPING**

Social workers shall have a primary obligation to protect the client's right to confidentiality as established by law and professional standards of practice.

- (1) Social workers reveal confidential information to others only with the informed consent of the client, except in those circumstances in which not to do so would violate other laws or would result in clear and imminent danger to the client or others. Unless specifically contraindicated by such situations, clients shall be informed and written consent shall be obtained from the client or their legally authorized representative, before confidential information is revealed.
- (2) When confidential information is used for the purpose of professional education, research, consultation, etc., the identity of the client shall be concealed. Presentations shall be limited to material necessary for the professional purpose.
- (3) Social workers shall maintain records adequate to provide proper diagnosis and treatment and to fulfill other professional responsibilities.

*History Note: Authority G.S. 90B-6; 90B-11; S.L. 1999-313; Eff. March 1, 1994;*

*Temporary Amendment Eff. October 1, 1999.*

**.0508 PURSUIT OF RESEARCH AND SCHOLARLY ACTIVITIES**

In planning, conducting and reporting a study, the investigator has the responsibility to make a careful evaluation of its ethical acceptability, taking into account the following additional principles for research with human subjects. To the extent that this appraisal, weighing scientific and humane values, suggests a compromise of ethical principles, the investigator shall seek advice to protect the right of the research participants.

- (1) Social workers shall obtain appropriate authority to carry out the research and proper credit shall be given for the research conducted.

- (2) An agreement shall be established between the investigator and the research participant clarifying their roles and responsibilities.
- (3) The rights of an individual to decline to participate in or withdraw from the research shall be respected and the participant shall not be penalized for such action.
- (4) The investigator shall inform the participant of all the features of the research that would affect his/her participation in the study.
- (5) Information obtained about the participant during the course of the study shall be confidential unless informed consent for release of information is obtained in advance.
- (6) Research findings shall be presented accurately. Social workers shall not distort or misrepresent research.

*History Note: Authority G.S. 90B-6; 90B-11; S.L. 1999-313; Eff. March 1, 1994;*

*Temporary Amendment Eff. October 1, 1999.*

**.0509 PUBLIC STATEMENTS**

Public statements, announcements of services and promotional activities of social workers serve the purpose of providing sufficient information to aid consumers in making informed judgments and choices. Social workers shall state accurately, objectively and without misrepresentation their professional qualifications, affiliations and functions as well as those of the institutions or organizations with which they or their statement may be associated. They shall correct misrepresentations of by others with respect to these matters.

- (1) In announcing availability for professional services, a social worker shall use his or her name, type and level of certification and licensure; and may use highest relevant academic degree from an accredited institution; specialized post-graduate training; address and telephone number; office hours; type of services provided; appropriate fee information; foreign languages spoken; and policy with regard to third-party payments.
- (2) Social workers shall not offer to perform any services beyond the scope permitted by law or beyond the scope of their competence. They shall not engage in any form of advertising which is false, fraudulent, deceptive, or misleading. They shall neither solicit nor use recommendations or testimonials from clients.
- (3) Social workers shall respect the rights and reputations of professional organizations with which they are affiliated. They shall not falsely imply sponsorship or certification by such an organization. When making public statements, the social worker shall make clear which are personal opinions and which are authorized statements on behalf of the organization.

History Note: Authority G.S. 90B-6; 90B-11; S.L. 1999-313;

Eff. March 1, 1994;

Temporary Amendment Eff. October 1, 1999.

## SECTION .0600 - DISCIPLINARY PROCEDURES

### .0601 GROUNDS FOR DISCIPLINARY PROCEDURES

In addition to the conduct set forth in G.S. 90B-11, the board may deny, suspend or revoke a certification take disciplinary action upon the following grounds:

- (1) offering a check to the board in payment of required fees which is returned unpaid;
- (2) obtaining or attempting to obtain compensation by fraud or deceit;
- (3) violation of any order of the North Carolina Social Work Certification Board;
- (4) failure to possess exhibit truth, honesty and integrity sufficient to be entitled to the high regard and confidence of the public.

History Note: Authority G.S. 90B-2; 90B-11; S.L. 1999-313;

Eff. August 1, 1987;

Temporary Amendment Eff. October 1, 1999.

### .0602 INVESTIGATION

(a) The contents and manner of service of notice of hearing in a contested case shall be as prescribed in G.S. 150B-38 (b) and (c).

(a) Upon receipt of a complaint, the Board shall notify the social worker against whom the complaint was filed, noting the report of a violation and the specific ethical standard brought into question.

(b) Any party who has been served with notice of hearing may file a written response as prescribed in G.S. 150B-38(d).

(b) Upon receipt of a complaint, or upon its own motion, the Board, its staff, or designee(s) may investigate whether a person certified or licensed by the Board has violated any provision of G.S. 90B or these Rules.

(c) The complainant and social worker against whom a complaint was filed shall be notified in writing of the Board's decision as to whether an investigation is warranted.

(d) Any Board member who conducts the investigation of a specific case shall not participate in the Board's adjudication of that case.

History Note: Authority G.S. 90B-6; 90B-11; S.L. 1999-313;

Eff. September 1, 1989;

Temporary Amendment Eff. October 1, 1999.

### .0603 NOTICE OF CHARGES AND HEARING

(a) Contested Cases. Disciplinary proceedings to enforce the provisions of G.S. 90B-11 and Rule 21 NCAC 63 .0601 are deemed to be "contested cases" within the meaning of G.S. 150B-2, and any person subjected to such proceedings shall be given notice and the opportunity to be heard.

(b) Emergency Certificate Suspension. Nothing within Paragraph (a) of this Rule shall abridge the right of the Board to take emergency action to summarily suspend a certificate prior to hearing pursuant to G.S. 150B-3(c).

If an investigation produces any credible evidence indicating a violation of G.S. 90B or these Rules the Board may initiate disciplinary proceedings. Disciplinary proceedings conducted by the Board are governed by G.S. 150B. Prior to any Board action, written notice outlining the particular statutes and rules involved, the alleged facts, and the date, location and nature of any hearing shall be sent to the social worker involved and the complainant.

History Note: Authority G.S. 90B-6; 90B-11; 150B-38; S.L. 1999-313;

Eff. September 1, 1989;

Temporary Amendment Eff. October 1, 1999.

### .0604 LOCATION OF HEARING

The location of the hearing in a contested case shall be as prescribed in G.S. 150B-38(e).

History Note: Authority G.S. 90B-6(h); 150B-9; S.L. 1999-313;

Eff. September 1, 1989;

Temporary Repeal Eff. October 1, 1999.

### .0607 CONDUCT OF HEARING

(a) General H Disciplinary hearings in contested cases shall be conducted by a majority of the Board. The Chairperson shall serve as presiding officer unless he or she is absent or disqualified, in which case the Vice-chairperson shall preside. Hearings shall be conducted as prescribed by G.S. 150B-40.

(b) Disqualification. An affidavit seeking disqualification of any Board member, if filed in good faith and in a timely manner, will be ruled on by the remaining members of the Board. An affidavit is considered timely if it is filed:

- (1) Prior to the hearing; or
- (2) As soon after the commencement of the hearing as the affiant becomes aware of the facts which give rise to his belief that a Board member should be disqualified.

(c) Evidence. The admission of evidence in a hearing on a contested case shall be as prescribed in G.S. 150B-41.

History Note: Authority G.S. 90B-6(h); 150B-40; S.L. 1999-313;

Eff. September 1, 1989;

Temporary Amendment Eff. October 1, 1999.

### .0609 REPORTING OF DISCIPLINARY ACTIONS

The Board shall report all disciplinary actions specified in G.S. 90B-11 through the Disciplinary Action Reporting System (DARS), the Federal Data Bank, and may report them to any requesting public or private entity. Disciplinary actions do not include complaints.

History Note: Authority G.S. 90B-6(h); 90B-11; S.L. 1999-

313;

Temporary Adoption Eff. October 1, 1999.**SECTION .0700 - ADMINISTRATIVE PROCEDURES****.0701 PETITIONS FOR ADOPTION OF RULES**

(a) The procedure for petitioning the Board to adopt, amend, or repeal a rule is governed by G.S. 150B-16 G.S. 150B-20.

(b) Submission. Rule-making petitions shall be sent to the secretary of the Board. No special form is required, but the petitioner shall state his or her name and address. Beyond the requirement that the petitioner submit the proposed text of any requested rule change and a statement of the effect of the requested change, There there are no minimum mandatory contents of a petition, but petition. However, the Board considers the following information to be pertinent:

- (1) a draft of the proposed rule;
- (2) (1) the reason for its proposal;
- (3) the effect of the proposed rule on existing rules or decisions;
- (4) (2) data supporting the proposed rule;
- (5) (3) practices likely to be affected by the proposed rule;
- (6) (4) persons likely to be affected by the proposed rule.

(c) Disposition. The secretary shall review the petition and develop a recommendation as to whether the petitioner's proposed rule should be rejected or implemented. The secretary shall present the petition and his or her recommendation to the Board at its next regular meeting following receipt of the petition, and the Board shall render its decision to either deny the petition or initiate rule-making. The Board shall notify the petitioner of its decision in writing within the 120-day period set by G.S. 150B-16 G.S. 150B-20.

*History Note: Authority G.S. 90B-6(h); 150B-20; S.L. 1999-313;*

*Eff. September 1, 1989;*

Temporary Amendment Eff. October 1, 1999.

**.0702 PROCEDURE FOR ADOPTION OF RULES**

(a) General. The procedure for the adoption, amendment or repeal of rules is governed by G.S. 150B-12 Part 2, Article 2A of Chapter 150B of the North Carolina General Statutes.

(b) Notice of Rule-Making. In addition to the mandatory publication of notice in the North Carolina Register, the Board, in its discretion, may also publish notice through its newsletter to certified and licensed persons or by separate mailing. Any person who wishes to receive individual notice shall file a written request with the secretary and shall be responsible for the cost of mailing said notice.

(c) Public Hearing. Any public rule-making hearing required by G.S. 150B-12 G.S. 150B-21.2 shall be conducted by the chairperson of the Board or by any person he the chair may delegate. The presiding officer shall have complete control of the hearing and shall conduct the hearing so as to provide a reasonable opportunity for any interested person to present views, data and comments:

- (1) Oral presentations shall not exceed 15 minutes unless the presiding officer, in his or her discretion, prescribes a greater time limit.
- (2) Written presentations shall be acknowledged by the presiding officer and shall be given the same consideration as oral presentations.

*History Note: Authority G.S. 90B-6(h); 150B-21.2; S.L. 1999-313;*

*Eff. September 1, 1989;*

Temporary Amendment Eff. October 1, 1999.

**.0703 TEMPORARY RULES**

The power of the Board to adopt temporary rules and the procedure by which such rules are put into effect are governed by G.S. 150B-13 G.S. 150B-21.1.

*History Note: Authority G.S. 90B-6(h); 150B-21.1; S.L. 1999-313;*

*Eff. September 1, 1989;*

Temporary Amendment Eff. October 1, 1999.

**.0704 DECLARATORY RULINGS**

(a) General. The issuance of declaratory rulings by the Board is governed by G.S. 150B-17 G.S. 150B-4.

(b) Request for Declaratory Ruling; Contents. A request for a declaratory ruling shall be in writing and addressed to the secretary: secretary of the Board. The request shall contain the following information:

- (1) The name and address of the person making the request;
- (2) The statute or rule to which the request relates;
- (3) A concise statement of the manner in which the person has been aggrieved by the statute or rule.
- (4) A statement as to whether a hearing is desired, and if desired, the reason therefore.

(c) Refusal to Issue Ruling. The Board shall ordinarily refuse to issue a declaratory ruling under the following circumstances:

- (1) When the Board has already made a controlling decision on substantially similar facts in a contested case;
- (2) When the facts underlying the request for a ruling were specifically considered at the time of the adoption of the rule in question;
- (3) When the subject matter of the request is involved in pending litigation in North Carolina.

*History Note: Authority G.S. 90B-6(h); 150B-4; S.L. 1999-313;*

*Eff. September 1, 1989;*

Temporary Amendment Eff. October 1, 1999.

**SECTION .0800 - DISCIPLINARY PROCEDURES****.0801 REPORTING COMPLAINTS**

(a) All complainants shall be sent (if name and address are available) a copy of the state's code of ethics and disciplinary

procedures, informing them of their options for reporting an ethical violation.

(b) There shall be two procedures for reporting violations:

(1) Informal Reporting Procedure:

- (A) Anyone may anonymously or otherwise communicate a suspected violation on an informal "report only" basis. This report shall be submitted in writing.
- (B) After receiving an informal written complaint, the Board shall contact the social worker involved, note the reporting of a violation and outline the specific ethical standard brought to question.
- (C) Record of the complaint and all subsequent actions shall be retained in a separate administrative file and shall not be considered disciplinary actions, and shall not be a part of a licensee's file.
- (D) Depending on the number of prior complaints within a three-year period, specific follow-up interventions shall be initiated. Complaints do not have to involve the same ethical standard.
  - (I) First Complaint. The social worker shall be directly contacted by phone by a member of the Board, with a follow-up letter. The specific ethical violations raised by complainant shall be detailed. The social worker shall be encouraged to explore issues that may have led to the complaint, professional practices, and social work ethical standards, and to initiate corrective action if necessary.
  - (II) Second Complaint. The procedure in Subpart (b)(1)(D)(I) of this Rule shall be followed, and the social worker shall be encouraged to voluntarily develop an "intervention team" of two certified social work colleagues. This team shall work with the social worker to informally address complaint implications, potential professional liabilities, client impact, and possible corrective actions. A plan of action and follow-up reports shall be submitted to the Board.
  - (III) Third Complaint. The procedures in Subparts (b)(1)(D)(I) and (II) of this Rule are followed, and the social worker will receive strong recommendation to establish supervision or therapeutic intervention or both for possible impairment.
  - (IV) Fourth Complaint. The Board shall call for whatever investigation is necessary and may call for either an informal conference or hearing.

(2) Formal Reporting Procedure:

- (A) The complainant shall submit a formal written complaint on the Board's form outlining the specific violation and identifying the social worker involved.
- (B) The Board shall acknowledge receipt of the complaint and initiate an investigation.
- (C) The Board shall contact the social worker involved, note the reporting of a violation and outline the specific ethical standard brought to question.
- (D) Based on the investigation, if there is credible evidence supporting the charges, a hearing shall be scheduled. If evidence is not credible the Board may at its discretion pursue informal procedures.
- (E) The disciplinary action hearing will follow the administrative procedures in Rule .0602 of this Chapter and G.S. 150B.
- (F) The complainant and social worker shall be informed of the Board's final filing on the complaint and subsequent disciplinary actions.

*History Note: Authority G.S. 90B-6; 90B-11; S.L. 1999-313; Eff. March 1, 1994;*

*Temporary Repeal Eff. October 1, 1999.*

#### **.0802 CONFIDENTIALITY**

Every communication, oral or written, made by or on behalf of any person or entity to the North Carolina Certification Board for Social Work or to any person designated by the Board to investigate matters relating to disciplinary issues, whether by way of report, complaint, or statement, shall be treated in a confidential manner, within the provision of the Public Records Act G.S. 132.

*History Note: Authority G.S. 90B-6; 90B-11; S.L. 1999-313; Eff. March 1, 1994;*

*Temporary Repeal Eff. October 1, 1999.*

#### **.0803 INVESTIGATION**

(a) Upon receipt of a formal complaint, or upon the Board's own initiative, the North Carolina Certification Board for Social Work, its staff, or designee(s) may investigate whether a certified social worker has violated the Social Work Certification Act or the Administrative Code of the Board.

(b) Any board member engaged in the investigation of a specific case shall not participate in the Board's adjudication of that case.

*History Note: Authority G.S. 90B-6; 90B-11; S.L. 1999-313; Eff. March 1, 1994;*

*Temporary Repeal Eff. October 1, 1999.*

#### **.0804 NOTICE OF HEARING AND CHARGES**

If an investigation produces any credible evidence to support the charge, a notice outlining the charges, date of proposed hearing, location of hearing, and other information (per G.S.

150B-38) shall be sent to the social worker. The social worker shall have the right to file a written response (per G.S. 150B-38):

*History Note: Authority G.S. 90B-6; 90B-11; S.L. 1999-313; Eff. March 1, 1994;*  
*Temporary Repeal Eff. October 1, 1999.*

**.0805 INFORMAL CONFERENCE**

The Board may meet in informal closed session with a social worker who seeks or agrees to such a conference in lieu of a formal disciplinary hearing. Disciplinary action taken against a licensee as a result of an informal closed session conference and agreed to by the Board and the social worker shall be binding and a matter of public record.

*History Note: Authority G.S. 90B-6; 90B-11; S.L. 1999-313; Eff. March 1, 1994;*  
*Temporary Repeal Eff. October 1, 1999.*

**.0806 HEARINGS**

General hearings shall be conducted by a majority of the Board. The Chairperson shall serve as presiding officer unless he/she is absent or disqualified, in which case the Vice-Chairperson, or designee, shall preside.

*History Note: Authority G.S. 90B-6; 90B-11; S.L. 1999-313; Eff. March 1, 1994;*  
*Temporary Repeal Eff. October 1, 1999.*

**.0807 DECISION OF THE BOARD**

The Board shall notify all parties of its final decision in the manner prescribed by G.S. 150B-42.

*History Note: Authority G.S. 90B-6; 90B-11; S.L. 1999-313; Eff. March 1, 1994;*  
*Temporary Repeal Eff. October 1, 1999.*

**.0808 SUMMARY SUSPENSION**

Regardless of the status of the complaint, the Board may summarily suspend a social worker's certification according to the provisions of G.S. 150B-3. If the Board Chairperson believes such prompt action is required, the Board may summarily suspend a license by means of a vote conducted by telephone, formal meeting, or correspondence. Proceedings for a formal hearing shall be instituted simultaneously with summary suspension, with a hearing date not to exceed 30 days from the date of suspension.

*History Note: Authority G.S. 90B-6; 90B-11; S.L. 1999-313; Eff. March 1, 1994;*  
*Temporary Repeal Eff. October 1, 1999.*

**.0809 THE PUBLIC RECORD**

The Board shall report all disciplinary actions through the Disciplinary Action Reporting System (DARS), the Federal Data Bank, and may report them to any requesting public or private entity. Disciplinary actions do not include complaints.

*History Note: Authority G.S. 90B-6; 90B-11; S.L. 1999-313; Eff. March 1, 1994;*  
*Temporary Repeal Eff. October 1, 1999.*

**.0820 DISCIPLINARY ACTIONS**

Board disciplinary actions may include the following:

- (1) **Letters of Concern.** The Board may issue a letter of concern to a certified social worker stating that the Board has noted misconduct by the social worker.
- (2) **Examination.** The Board may require a social worker to be examined orally or in writing regarding his/her social work skills and knowledge.
- (3) **Reprimand.** Reprimand is a public rebuke and sanction by the Board for practice misconduct. A reprimand typically is given for less severe offenses and may require specific follow-up actions by the social worker.
- (4) **Censure.** Censure is an act involving severe condemnation and a sanction by the Board for practice misconduct. Censuring is typically for severe offenses and may require specific follow-up actions by the social worker.
- (5) **Probation.** Probation is a stay of revocation or suspension allowing limited practice within preconditions established by the Board. Violations of these conditions can result in revocation.
- (6) **Suspension.** Suspension is the withdrawal of privilege to practice for a specific period of time.
- (7) **Revocation.** Revocation is the withdrawal of privilege to practice as a certified social worker in the State of North Carolina.

*History Note: Authority G.S. 90B-6; 90B-11; S.L. 1999-313; Eff. March 1, 1994;*  
*Temporary Repeal Eff. October 1, 1999.*

*This Section includes the Register Notice citation to Rules approved by the Rules Review Commission (RRC) at its meeting of September 30, 1999 pursuant to G.S. 150B-21.17(a)(1) and reported to the Joint Legislative Administrative Procedure Oversight Committee pursuant to G.S. 150B-21.16. The full text of rules are published below when the rules have been approved by RRC in a form different from that originally noticed in the Register or when no notice was required to be published in the Register. The rules published in full text are identified by an \* in the listing of approved rules. Statutory Reference: G.S. 150B-21.17.*

*These rules, unless otherwise noted, will become effective on the 31st legislative day of the 2000 Session of the General Assembly or a later date if specified by the agency unless a bill is introduced before the 31st legislative day that specifically disapproves the rule. If a bill to disapprove a rule is not ratified, the rule will become effective either on the day the bill receives an unfavorable final action or the day the General Assembly adjourns. Statutory reference: G.S. 150B-21.3.*

**APPROVED RULE CITATION****REGISTER CITATION TO THE  
NOTICE OF TEXT**

2	NCAC	20B	.0104*	13:18 NCR 1503	
2	NCAC	43L	.0309*	13:20 NCR 1718	
13	NCAC	19	.0101*	not required G.S. 150B-21.5(a)(4)	Eff. September 1, 1999
15A	NCAC	4B	.0106-.0107*	13:09 NCR 760	
15A	NCAC	4B	.0127	13:09 NCR 760	
15A	NCAC	7H	.0309*	13:13 NCR 1044	
15A	NCAC	7H	.2105*	13:13 NCR 1046	
15A	NCAC	10C	.0501-.0502*	13:20 NCR 1737	
15A	NCAC	10C	.0503	13:20 NCR 1737	
15A	NCAC	10F	.0321	13:19 NCR 1694	
15A	NCAC	10F	.0323	13:19 NCR 1694	
15A	NCAC	10F	.0339	13:19 NCR 1695	
15A	NCAC	10F	.0367	13:19 NCR 1695	
15A	NCAC	18A	.1611	13:20 NCR 1738	
15A	NCAC	18A	.2618*	not required, G.S. 150B-21.5	Eff. September 1, 1999
15A	NCAC	27	.0401*	13:21 NCR 1790	
15A	NCAC	27	.0440*	13:21 NCR 1791	
15A	NCAC	27	.0501	13:21 NCR 1791	
15A	NCAC	27	.0510*	13:21 NCR 1791	
15A	NCAC	27	.0520	13:21 NCR 1792	
15A	NCAC	27	.0830*	13:21 NCR 1793	
15A	NCAC	27	.0901*	13:21 NCR 1793	
15A	NCAC	27	.0910*	13:21 NCR 1793	
15A	NCAC	27	.0920*	13:21 NCR 1794	
15A	NCAC	27	.0930	13:21 NCR 1794	
16	NCAC	6C	.0501*	13:18 NCR 1504	
19A	NCAC	31	.0307*	13:22 NCR 1812	
19A	NCAC	31	.0402*	13:22 NCR 1812	
19A	NCAC	31	.0804*	13:22 NCR 1812	
21	NCAC	14I	.0104*	13:19 NCR 1652	
21	NCAC	14I	.0107*	13:19 NCR 1652	
21	NCAC	14J	.0208*	13:19 NCR 1652	
21	NCAC	14J	.0501*	13:19 NCR 1652	
21	NCAC	14L	.0101*	13:19 NCR 1652	
21	NCAC	14N	.0113*	13:19 NCR 1652	
21	NCAC	14O	.0101*	13:19 NCR 1652	
21	NCAC	14O	.0104*	13:19 NCR 1652	
21	NCAC	14P	.0105*	13:19 NCR 1652	
21	NCAC	14P	.0111-.0112*	13:19 NCR 1652	
21	NCAC	14P	.0113	13:19 NCR 1652	
21	NCAC	14P	.0114*	13:19 NCR 1652	

21	NCAC	14P	.0116*	13:19 NCR 1652
21	NCAC	46	.1815*	13:24 NCR 2016

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**TITLE 2 - DEPARTMENT OF AGRICULTURE****CHAPTER 20 - THE NORTH CAROLINA STATE FAIR****SUBCHAPTER 20B - REGULATIONS OF THE STATE FAIR****SECTION .0100 - GENERAL PROVISIONS****.0104 ADMISSION REGULATIONS**

(a) All persons entering the North Carolina State Fair grounds must pay the established admission fee, except persons holding worker's permits. One-time-only admissions may be issued to those persons who are employed by the fair or are asked to appear on the grounds by the fair management for a specific purpose, relative to the operation of the fair.

(b) The gates of the North Carolina State Fair shall be open to visitors from 9:00 a.m. until midnight each day of the fair. Exhibit buildings shall be open from 9:00 a.m. to 9:45 p.m. daily.

(c) The State Fair Manager may operate a pass-out system at one or more of the outside gates. Persons exiting through these gates may, upon request, have their hand or vehicle stamped for readmittance through the same gate without additional charge. Readmittance must occur before 10:00 p.m. on the same day as pass-out or the hand stamp shall not be honored.

(d) Outside gate admission prices are as follows:

(1)	adult/child, 13 years of age and over	\$6.00
(2)	child, 6 through 12 years of age	\$2.00
(3)	senior citizen, 65 and over	Free
(4)	child, under 6 years of age	Free

(e) Outside gate admission prices for advance ticket sales are as follows:

(1)	adult/child, 13 years of age and over	\$5.00
(2)	child, 6 through 12 years of age	\$1.00
(3)	senior citizen, 65 and over	Free
(4)	child, under 6 years of age	Free
(5)	adult group sales purchasing a minimum of 40 tickets	\$4.75

*History Note: Authority G.S. 106-503;*

*Eff. February 1, 1976;*

*Amended Eff. July 1, 2000; October 1, 1993; June 1, 1989; July 1, 1985; April 1, 1984.*

**CHAPTER 43 - MARKETS****SUBCHAPTER 43L - STRUCTURE AND POLICY****SECTION .0300 - FEES: WESTERN NORTH CAROLINA HORSE AND LIVESTOCK FACILITY FEE SCHEDULE****.0309 ADMISSION REGULATIONS**

(a) All persons entering the Western North Carolina Agricultural Center grounds during the North Carolina Mountain State Fair must pay the established admission fee, except persons holding worker's permits. One-time-only admissions may be issued to those persons who are employed by the fair or are asked to appear on the grounds by the fair management for a specific purpose relative to the operation of the fair.

(b) The gates of the Western North Carolina Agricultural Center shall open one hour prior to fair time and close one hour after closing of the fair midway each day of the fair. Opening of the fair midway and exhibit building may vary each day of the fair.

(c) The Western North Carolina Agricultural Center Manager may operate a pass-out system at one or more of the outside gates during the fair. Persons exiting through these gates may, upon request, have their hand or vehicle stamped for readmittance through the same gate without additional charge. Readmittance must occur before 10:00 p.m. on the same day as pass-out or the hand stamp will not be honored.

(d) Outside gate admission prices are as follows:

(1)	adult/child, 13 years of age and over	\$5.00
(2)	child, 6 through 12 years of age	2.00
(3)	child, under 6 years of age	Free
(4)	senior citizen (age 65 and over)	2.00

(e) Outside gate admission prices for advance ticket sales are as follows:

(1)	adult/child, 13 years of age and over	\$4.00
(2)	child, 6 through 12 years of age	1.50
(3)	child, under 6 years of age	Free
(4)	adult group sales purchasing a minimum of 40 tickets	3.50
(5)	senior citizen (age 65 and over)	1.50

*History Note: Authority G.S. 106-6.1;*

*Eff. June 1, 1994;*

*Amended Eff. July 1, 2000.*

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**TITLE 13 - DEPARTMENT OF LABOR**

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**CHAPTER 19 - RETALIATORY EMPLOYMENT DISCRIMINATION****SECTION .0100 - GENERAL PROVISIONS****.0101 WORKPLACE RETALIATORY DISCRIMINATION OFFICE**

The main office of the Workplace Retaliatory Discrimination (WORD) Office, which administers the provisions of Article 21 of G.S. 95, the Retaliatory Employment Discrimination Act (REDA), is maintained in the Raleigh office of the Department

of Labor (the Department) at the Old Revenue Building, 2 South Salisbury Street, Raleigh, North Carolina. The WORD Office maintains branch offices in Greensboro and Charlotte, North Carolina. The mailing address of the main office is:

Workplace Retaliatory Discrimination Office  
North Carolina Department of Labor  
4 West Edenton Street  
Raleigh, North Carolina 27601

*History Note: Authority G.S. 95-245;  
Eff. April 1, 1999;  
Amended Eff. September 1, 1999.*

## **TITLE 15A - DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES**

### **CHAPTER 4 - SEDIMENTATION CONTROL**

#### **SUBCHAPTER 4B - EROSION AND SEDIMENT CONTROL**

##### **.0106 BASIC CONTROL OBJECTIVES**

(a) An erosion and sedimentation control plan may be disapproved pursuant to 15A NCAC 4B .0118 if the plan fails to address the following control objectives:

- (1) Identify Critical Areas: Identify site areas subject to severe erosion, and off-site areas especially vulnerable to damage from erosion and sedimentation.
- (2) Limit Exposed Areas. Limit the size of the area exposed at any one time.
- (3) Limit Time of Exposure. Limit exposure to the shortest feasible time.
- (4) Control Surface Water. Control surface water run-off originating upgrade of exposed areas in order to reduce erosion and sediment loss during exposure.
- (5) Control Sedimentation. All land-disturbing activity is to be planned and conducted so as to prevent off-site sedimentation damage.
- (6) Manage Storm Water Runoff. When the increased velocity of storm water runoff resulting from a land-disturbing activity causes accelerated erosion of the receiving watercourse, plans shall include measures to control the velocity to the point of discharge.

(b) When deemed necessary by the approving authority a preconstruction conference may be required.

*History Note: Authority G.S. 113A-54(d)(4); 113A-54.1;  
Eff. February 1, 1976;  
Amended Eff. July 1, 2000; February 1, 1992; May 1, 1990;  
November 1, 1984; March 14, 1980.*

##### **.0107 MANDATORY STANDARDS FOR LAND- DISTURBING ACTIVITY**

(a) No land-disturbing activity subject to these Rules shall be undertaken except in accordance with the G.S. 113A-57.

(b) Pursuant to G.S. 113A-57(3), provisions for a ground

cover sufficient to restrain erosion must be accomplished within 15 working days or 90 calendar days following completion of construction or development, whichever period is shorter, except as provided in 15A NCAC 4B .0124(e).

(c) Pursuant to G.S. 113A-57(4) and 113A-54(d)(4), an erosion and sedimentation control plan must be both filed and approved by the agency having jurisdiction.

*History Note: Authority G.S. 113A-54(d)(4); 113A-57; 113A-57(3)(4);*

*Eff. February 1, 1976;*

*Amended Eff. July 1, 2000; May 1, 1990; August 1, 1988;  
November 1, 1984; March 14, 1980.*

## **CHAPTER 7 - COASTAL MANAGEMENT**

### **SUBCHAPTER 7H - STATE GUIDELINES FOR AREAS OF ENVIRONMENTAL CONCERN**

#### **SECTION .0300 - OCEAN HAZARD AREAS**

##### **.0309 USE STANDARDS FOR OCEAN HAZARD AREAS: EXCEPTIONS**

(a) The following types of development may be permitted seaward of the oceanfront setback requirements of Rule .0306(a) of the Subchapter if all other provisions of this Subchapter and other state and local regulations are met:

- (1) campsites;
- (2) parking areas with clay, packed sand or similar surfaces;
- (3) outdoor tennis courts;
- (4) elevated decks not exceeding a footprint of 500 square feet;
- (5) beach accessways consistent with Rule .0308(e) of this Subchapter;
- (6) unenclosed, uninhabitable gazebos with a footprint of 200 square feet or less;
- (7) uninhabitable, single-story storage sheds with a footprint of 200 square feet or less;
- (8) temporary amusement stands; and
- (9) swimming pools.

In all cases, this development shall only be permitted if it is landward of the vegetation line; involves no alteration or removal of primary or frontal dunes which would compromise the integrity of the dune as a protective landform or the dune vegetation; has overwalks to protect any existing dunes; is not essential to the continued existence or use of an associated principal development; is not required to satisfy minimum requirements of local zoning, subdivision or health regulations; and meets all other non-setback requirements of this Subchapter.

(b) Where strict application of the oceanfront setback requirements of Rule .0306(a) of this Subchapter would preclude placement of permanent substantial structures on lots existing as of June 1, 1979, single family residential structures may be permitted seaward of the applicable setback line in ocean erodible areas, but not inlet hazard areas, if each of the following conditions are met:

(1) The development is set back from the ocean the maximum feasible distance possible on the existing lot and the development is designed to minimize encroachment into the setback area;

(2) The development is at least 60 feet landward of the vegetation line;

(3) The development is not located on or in front of a frontal dune, but is entirely behind the landward toe of the frontal dune;

(4) The development incorporates each of the following design standards, which are in addition to those required by Rule .0308(d) of this Subchapter.

(A) All pilings have a tip penetration that extends to at least four feet below mean sea level;

(B) The footprint of the structure be no more than 1,000 square feet or 10 percent of the lot size, whichever is greater.

(5) All other provisions of this Subchapter and other state and local regulations are met. If the development is to be serviced by an on-site waste disposal system, a copy of a valid permit for such a system must be submitted as part of the CAMA permit application.

(c) Reconfiguration of lots and projects that have a grandfather status under Paragraph (b) of this Rule shall be allowed provided that the following conditions are met:

(1) Development is setback from the first line of stable natural vegetation a distance no less than that required by the applicable exception;

(2) Reconfiguration will not result in an increase in the number of buildable lots within the Ocean Hazard AEC or have other adverse environmental consequences; and

(3) Development on lots qualifying for the exception in Paragraph (b) of this Rule must meet the requirements of Paragraphs (1) through (5) of that Paragraph.

For the purposes of this Rule, an existing lot is a lot or tract of land which, as of June 1, 1979, is specifically described in a recorded plat and which cannot be enlarged by combining the lot or tract of land with a contiguous lot(s) or tract(s) of land under the same ownership. The footprint is defined as the greatest exterior dimensions of the structure, including covered stairways, when extended to ground level.

(d) The following types of water dependent development shall be permitted seaward of the oceanfront setback requirements of Rule .0306(a) of this Section if all other provisions of this Subchapter and other state and local regulations are met:

(1) piers providing public access (excluding any pier house, office, or other enclosed areas); and

(2) maintenance and replacement of existing state-owned bridges and causeways and accessways to such bridges.

(e) Where application of the oceanfront setback requirements of Rule .0306(a) of this Section would preclude replacement of a pier house associated with an existing ocean pier, replacement of the pier house shall be permitted if each of the following conditions are met:

(1) The associated ocean pier provides public access for fishing or other recreational purposes whether on a commercial, public, or nonprofit basis;

(2) The pier house is set back from the ocean the maximum feasible distance while maintaining existing parking and sewage treatment facilities and is designed to reduce encroachment into the setback area;

(3) The pier house shall not be enlarged beyond its original dimensions as of January 1, 1996;

(4) The pier house shall be rebuilt to comply with all other provisions of this Subchapter; and

(5) If the associated pier has been destroyed or rendered unusable, replacement of the pier house shall be permitted only if the pier is also being replaced and returned to its original function.

(f) In addition to the development authorized under Rule .0309(d) of this Section, small scale, non-essential development that does not induce further growth in the Ocean Hazard Area, such as the construction of single family piers and small scale erosion control measures that do not interfere with natural ocean front processes, may be permitted on those non oceanfront portions of shoreline within a designated Ocean Hazard Area that exhibit features characteristic of Estuarine Shoreline. Such features include the presence of wetland vegetation, lower wave energy and lower erosion rates than in the adjoining Ocean Erodible Area. Such development shall be permitted under the standards set out in Rule .0208 of this Subchapter. For the purpose of this Rule, small scale is defined as those projects which are eligible for authorization under 15A NCAC 7H .1100, .1200 and 7K .0203.

*History Note: Authority G.S. 113A-107(a); 113A-107(b); 113A-113(b)(6)a; 113A-113(b)(6)b; 113A-113(b)(6)d; 113A-124;*

*Eff. February 2, 1981;*

*Amended Eff. August 1, 2000; April 1, 1996; April 1, 1995; February 1, 1993; January 1, 1991; April 1, 1987.*

## **SECTION .2100 - GENERAL PERMIT FOR CONSTRUCTION OF MARSH ENHANCEMENT BREAKWATERS FOR SHORELINE PROTECTION IN ESTUARINE AND PUBLIC TRUST WATERS**

### **.2105 SPECIFIC CONDITIONS**

(a) The breakwater shall be positioned no more than 20 feet waterward of the mean high water or normal water level contour (whichever is applicable) or 20 feet waterward of the waterward edge of existing wetlands at any point along its alignment. For narrow waterbodies (canals, creeks, etc.) the breakwater alignment shall not be positioned offshore more than one sixth (1/6) the width of the waterbody.

(b) Breakwaters authorized under this General Permit shall be allowed only in waters that average less than three feet in depth along the proposed alignment as measured from the mean high water or normal water level contour.

(c) Where Department Staff determine that insufficient

wetland habitat exists along the permittee's shoreline to provide adequate shoreline stabilization, the permittee shall be required to plant appropriate wetland species landward of the breakwater structure as directed by Department Staff.

(d) Construction authorized by this general permit will be limited to a maximum length of 500 feet.

(e) The breakwater shall be constructed with an equal gap between each sheathing board totaling at least one inch of open area every linear foot of breakwater. The breakwater shall have at least one five foot opening at every 100 feet. The breakwater sections shall be staggered and overlap as long as the five foot separation between sections is maintained. Overlapping sections shall not overlap more than 10 feet.

(f) The height of the breakwater shall not exceed six inches above mean high water or the normal water level.

(g) Offshore breakwater sections shall be set back 15 feet from the adjoining property lines and the riparian access dividing line. The line of division of riparian access shall be established by drawing a line along the channel or deep water in front of the property, then drawing a line perpendicular to the line of the channel so that it intersects with the shore at the point the upland property line meets the water's edge. The set back may be waived by written agreement of the adjacent riparian owner(s) or when the two adjoining riparian owners are co-applicants. Should the adjacent property be sold before construction of the breakwater begins, the applicant shall obtain a written agreement with the new owner waiving the minimum setback and submit it to the Division of Coastal Management prior to initiating any construction of the breakwater.

(h) Breakwaters shall be marked at 50 foot intervals with yellow reflectors extending at least three feet above mean high water.

(i) No backfill of the breakwater or any other fill of wetlands, estuarine waters, public trust areas, or highground is authorized by this general permit.

(j) No excavation of the shallow water bottom, any wetlands, or high ground is authorized by this general permit.

(k) The breakwater must be constructed of treated wood, plastic lumber, metal sheet piles or materials approved as similar by Department personnel.

(l) Perpendicular sections, return walls, or sections which would enclose estuarine waters or public trust areas shall not be allowed under this permit.

(m) The permittee will maintain the breakwater in good condition and in conformance with the terms and conditions of this permit or the remaining breakwater structure shall be removed within 90 days of notification from the Division of Coastal Management.

*History Note: Authority G.S. 113A-107; 113A-118.1;  
Eff. June 1, 1994;  
Amended Eff. August 1, 2000.*

## CHAPTER 10 - WILDLIFE RESOURCES AND WATER SAFETY

### SUBCHAPTER 10C - INLAND FISHING

## REGULATIONS

### SECTION .0500 - DECLARATORY RULINGS

#### .0501 SCOPE AND PURPOSE

To establish and protect those fragile inland waters which support embryonic, larval or juvenile populations of marine or estuarine fish or crustacean species. These Rules will set forth permanent nursery areas in inland fishing waters. Nursery areas are necessary for the early growth and development of virtually all of North Carolina's important marine or estuarine fish or crustacean species. Nursery areas need to be maintained, as much as possible, in their natural state, and the fish and crustacean populations within them must be permitted to develop in a normal manner with as little interference from man as possible.

*History Note: Authority G.S. 113-132; 113-134;  
Eff. September 1, 1990;  
Amended Eff. July 1, 2000.*

#### .0502 PRIMARY NURSERY AREAS DEFINED

Primary nursery areas are defined as those areas inhabited by the embryonic, larval or juvenile life stages of marine or estuarine fish or crustacean species due to favorable physical, chemical or biological factors.

*History Note: Authority G.S. 113-132; 113-134;  
Eff. August 1, 1990;  
Amended Eff. July 1, 2000.*

## CHAPTER 18 - ENVIRONMENTAL HEALTH

### SUBCHAPTER 18A - SANITATION

#### SECTION .2600 - SANITATION OF RESTAURANTS AND OTHER FOODHANDLING ESTABLISHMENTS

##### .2618 CLEANING OF EQUIPMENT AND UTENSILS

(a) All equipment and fixtures shall be kept clean. All cloths used by chefs and other employees in the kitchen shall be clean.

(b) Single-use articles such as formed buckets, bread wrappers, aluminum pie plates and No. 10 cans shall be used only once except that containers made of plastic, glass or other food grade material having smooth sides and of a construction so as to be easily cleaned may be reused.

(c) All multi-use eating and drinking utensils shall be thoroughly washed, rinsed, and subjected to a bactericidal treatment specified in Rule .2619 of this Section after each usage. The supply of eating and drinking utensils shall be of sufficient quantity to allow washing, rinsing, sanitizing and air-drying before re-use. All multi-use utensils except pizza pans and similar type pans (not used for table service) used in the storage, preparation, cooking, or serving of food or drink shall be cleaned and rinsed immediately after the day's operations, after each use, or upon completion of each meal as indicated. Pizza pans and similar type pans (not used for table

service) which are continually subjected to high temperatures do not require cleaning after each use or day's use but shall be kept clean and maintained in good repair.

(d) In addition to washing and rinsing multi-use utensils as indicated in Paragraph (c) of this Rule, preparation surfaces which come in contact with potentially hazardous foods and are not subjected to heat during routine cooking operations shall be sanitized. Examples of food contact surfaces which must be sanitized are utensils used in preparing cold salads and cold beverages, cutting boards, table tops, knives, saws, and slicers. For utensils and equipment which are either too large or impractical to sanitize in a dishwashing machine or dishwashing sink, and for those establishments which do not have dishwashing equipment, a spray-on or wipe-on sanitizer may be used. When spray-on or wipe-on sanitizers are used, the chemical strengths shall be those required for sanitizing multi-use eating and drinking utensils.

(e) Hand dishwashing facilities shall consist of an approved three-compartment sink of sufficient size and depth to submerge, wash, rinse and sanitize utensils and shall have splash back protection and drainboards that are an integral part of and continuous with the sink. These drainboards shall be of a sufficient size to accommodate the drainage of liquids of the washed utensils after being sanitized. Air drying of utensils may be accomplished with the use of a drainboard, overhead or wall mounted shelves, or with the use of stationary or portable racks or by cross-stacking.

(f) Where the Department determines that the volume of dishes, glasses and utensils to be washed cannot be processed in a single warewashing facility, separate dish, glass or utensil washing facilities shall be required. Separate vegetable washing facilities shall be provided in establishments which wash raw vegetables except where plan review shows that volume and preparation frequency do not require separate vegetable washing facilities or where vegetables are purchased prewashed and packaged. Establishments which scale or eviscerate fish or wash raw poultry shall provide separate sinks with preparation space for these processes except where plan review shows that volume and preparation frequency do not require separate washing facilities.

(g) When dishwashing machines are used, the machines shall be approved and shall be fitted with drainboards of ample capacity on each side, and include a countersunk sink or other approved means for pre-cleaning, pre-flushing, or pre-soaking of the utensils in the dirty dish lane. Thermometers indicating the wash and rinse water temperatures shall be provided and kept in good repair.

(h) When dishwashing machines are used, the machines shall be approved on the basis of size, capacity, and type for the number of utensils to be washed. Under some conditions, as when volume is limited and time permits, glasses may be washed with power-driven brushes and passed through door-type machines, which are also used for dishwashing, for final rinse and bactericidal treatment. For this method, a motor-driven glass-washer and a single-vat sink may suffice.

(i) When only single-service eating and drinking utensils are used, at least an approved two-compartment sink shall be

provided. This sink shall be of sufficient size to submerge, wash, rinse and sanitize utensils and shall have splash back protection and drainboards that are an integral part of and continuous with the sink. These drainboards shall be of a sufficient size to accommodate the drainage of liquids of the washed utensils after being sanitized. Air drying of utensils may be accomplished with the use of a drainboard, overhead or wall mounted shelves, or with the use of stationary or portable racks.

(j) Facilities for the heating of water shall be provided. Capacity of hot water heating facilities shall be based on number and size of sinks, capacity of dishwashing machines, and other food service and cleaning needs. Hot water storage tanks shall provide a minimum of 130° F (54° C) hot water when water is not used for sanitizing; when hot water is used for sanitizing, a minimum storage temperature of 140° F (60° C) hot water is required.

(k) No article, polish, or other substance containing any cyanide preparation or other poisonous material shall be used for the cleaning or polishing of eating or cooking utensils.

(l) In determining the sufficiency of the size of drainboards, machine dishwashers and sinks in an establishment, the Environmental Health Specialist shall consider the number and size of multi-use utensils regularly cleaned. For drainboards only, the Specialist shall also consider the available shelf space, racks and other areas which may be used for air drying.

*History Note: Authority G.S. 130A-248;*

*Eff. May 5, 1980;*

*Amended Eff. September 1, 1999; August 1, 1998; January 1, 1996; July 1, 1993; July 1, 1991.*

## **CHAPTER 27 - WELL CONTRACTOR CERTIFICATION RULES**

### **SECTION .0400 - CERTIFICATION BY EXAMINATION**

#### **.0401 SUBMITTAL AND PROCESSING OF APPLICATIONS FOR EXAMINATIONS**

(a) An application being filed for examination shall be postmarked by the United States Postal Service, or otherwise received by the Commission, at least 30 days prior to the date upon which the examination is scheduled to be administered and the appropriate fee must accompany the application.

(b) Upon receipt of the application by the Commission, the application shall be reviewed by the designee(s) of the Commission for eligibility to take the examination. The applicant must be notified of their eligibility by letter and shall be advised of the date, time and place of the examination. A receipt for the examination fee must accompany the letter. In cases where the applicant is ineligible for examination, the applicant shall also be notified by letter and advised of the reason for ineligibility. The examination fee shall be refunded in the event that the applicant is determined to be ineligible for the examination, minus a 50 percent processing fee. Upon learning of ineligibility, the applicant may request a hearing before the Commission at the next regularly scheduled meeting.

relative to the ineligibility, if the applicant so desires. Such requests must be in writing and shall be submitted at least 30 days prior to the next regularly scheduled meeting.

(c) Any applicant who intentionally supplies false information on the application for certification for the purpose of gaining eligibility, shall be ineligible for the examination and must forfeit the examination fee.

*History Note: Authority G.S. 87-98.6; 87-98.9; 143B-301.11; Temporary Adoption Eff. December 15, 1998; Eff. August 1, 2000.*

#### **.0440 EXAMINATION RESULTS AND ISSUANCE OF CERTIFICATES**

(a) After an examination, the applicant shall be informed, in writing only, by the Commission or its authorized representatives as to the results of his examination. If a passing score is made, such notification constitutes certification by the Commission. After each examination, a list of those certified shall be drawn up and made a part of the permanent records of the Commission. Copies of these lists shall be provided to each Commission member. Upon completion of the examination process, the applicant who passes the examination shall be issued a certificate.

(b) Under normal circumstances, neither the examination grade nor the examination paper of any applicant shall be made available to anyone other than the members of the Commission and those approved persons who assist in conducting and grading the examinations. The examination papers shall be held by the Commission in a secure location for a period of six months following notification to the applicant. Questions by the applicant concerning the examination must be made in writing to the Commission within six months of the notification date. An applicant who fails to pass an examination shall be entitled to and notified of the privilege to review his examination in the presence of one or more Commission members or its authorized representative in Raleigh, or at another location approved by the Commission.

*History Note: Authority G.S. 87-98.6; 87-98.8; 143B-301.11; Temporary Adoption Eff. December 15, 1998; Eff. August 1, 2000.*

#### **SECTION .0500 - CERTIFICATION WITHOUT EXAMINATION**

##### **.0510 RECIPROCAL WAIVER OF EXAMINATION FOR CERTIFICATION**

(a) The Commission may waive the examination requirement of this Chapter for an applicant who is licensed or holds a certification to practice well contractor activities in another State which also provides for equivalent reciprocal waiver of examination for licensing or certification to practice well construction activities in that state to North Carolina certified well contractors.

(b) The Commission may grant a waiver of the examination requirement to an applicant who provides evidence

satisfactory to the Commission that the applicant:

- (1) Meets the requirements for Certification established by the Commission under this Chapter; and
- (2) Became licensed or certified in the other State after passing in that state an examination that is equal or comparable to the examination for which the applicant is seeking the waiver.

*History Note: Authority G.S. 87-98.6; 87-98.7; 143B-301.11; Temporary Adoption Eff. December 15, 1998; Eff. August 1, 2000.*

#### **SECTION .0800 - CONTINUING EDUCATION REQUIREMENTS**

##### **.0830 RECORDKEEPING**

The responsibility of maintaining records to be used to support credits claimed is the responsibility of the contractor. Records required include, but are not limited to:

- (1) A log showing the type of activity claimed, sponsoring organization, location, duration, instructors or speakers name and PDH credits earned; or
- (2) Attendance verification records in the form of completion certificates, or other documents supporting evidence of attendance.

*History Note: Authority G.S. 87-98.12; 143B-301.11; Temporary Adoption Eff. December 15, 1998; Eff. August 1, 2000.*

#### **SECTION .0900 - PROCEDURES FOR DISCIPLINARY ACTIONS**

##### **.0901 REVOCATION, RELINQUISHMENT OR EXPIRATION OF CERTIFICATION**

(a) The Commission may revoke or suspend the certification of a well contractor in accordance with the provisions of G.S. 87-98.8 and G.S. 150B-3. Prior to the Commission's taking action on a proposed revocation or suspension, the well contractor shall be given an opportunity to submit a written statement and present oral argument before the Commission at a regularly scheduled meeting. Notice of the meeting shall be delivered personally or by certified mail at least 15 days prior to the meeting.

(b) Notice of the revocation or suspension shall be delivered to the well contractor personally or by certified mail at least 20 days prior to the effective date of the revocation or suspension. The notice shall contain the alleged facts or conduct upon which the revocation or suspension is based and shall inform the well contractor of the opportunity to contest the action under G.S. 150B before the effective date of revocation or suspension.

(c) Certification may be relinquished by submission to the Certification Commission of the original certificate and a notarized statement of relinquishment.

(d) The Certification Commission may issue a written reprimand to a well contractor in accordance with G.S. 87-98.8.

The reprimand shall be delivered personally or by certified mail. A copy of the letter shall be kept in the well contractor's file and a copy shall be sent to the well contractor's employer of record. The well contractor shall be given the opportunity to put a letter of rebuttal into the file when a reprimand has been issued.

*History Note: Authority G.S. 87-98.8; 143B-300; 150B-3; 150B-38; 150B-40; 150B-43;*

*Temporary Adoption Eff. December 15, 1998;*

*Eff. August 1, 2000.*

#### **.0910 RECERTIFICATION FOLLOWING REVOCATION OR RELINQUISHMENT**

(a) After revocation or relinquishment has been effective for a period determined by the Commission, a person may apply in writing for recertification by the Commission, including in his petition any relevant facts concerning changes to conditions under which revocation or relinquishment occurred. Such facts shall show clearly that applicant shall comply with the laws and regulations.

(b) Within 120 days following receipt of an application for recertification, the Commission shall notify the applicant by letter of its decision to deny or grant examination eligibility in accordance with procedures set out in 15A NCAC 27 .0301. Additional eligibility requirements including a show cause conference may be imposed by the Commission. Eligibility shall only be granted if there is substantial evidence that the conditions leading to the revocation or relinquishment have been corrected.

(c) Recertification of a person as a well contractor shall only occur by means of application and examination. The examinations shall not be waived. The applicant shall meet the eligibility requirements set forth in 15A NCAC 27 .0301. The applicant shall not be eligible for temporary certification under G.S. 87-98.7(c).

(d) Upon notification of the Commission's decision to deny eligibility, the applicant may appeal the decision pursuant to the procedures contained in Article 3A of G.S. 150B.

*History Note: Authority G.S. 87-98.8; 143B-301.11; 150B-3; 150B-43;*

*Temporary Adoption Eff. December 15, 1998;*

*Eff. August 1, 2000.*

#### **.0920 NOTIFICATION TO THE DEPARTMENT**

The Commission shall notify the Department of all actions taken in accordance with this Section.

*History Note: Authority G.S. 87-98.8; 143B-301.11;*

*Temporary Adoption Eff. December 15, 1998;*

*Eff. August 1, 2000.*

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## **EDUCATION**

### **SUBCHAPTER 6C - PERSONNEL**

#### **.0501 GENERAL PROVISIONS**

(a) Each LEA shall provide for the evaluation of all professional employees. The LEA shall base this evaluation upon performance standards and criteria contained in this Rule. LEAs may adopt additional standards and criteria that are not in conflict with those adopted by the SBE, the General Statutes, or with this Section.

(b) The person to whom an employee appropriately reports as designated in the job description, or that person's designee as approved by the superintendent, shall evaluate the employee.

(c) The LEA shall inform all personnel of their job descriptions and the performance standards and criteria applicable to their position at the time of employment or the beginning of the school year.

(d) Each LEA shall provide orientation on the performance appraisal process to its personnel.

(e) The performance appraisal shall address the following criteria:

- (1) a basis for self-improvement by professional personnel;
- (2) data for planning staff development activities for personnel at the school, administrative unit, regional and state levels; and
- (3) data for employment decisions.

(f) Each person may place written comments regarding the evaluation on their performance appraisal instruments.

(g) Each LEA shall adopt a rating scale for the evaluation or use the following scale:

- (1) Unsatisfactory. Performance is consistently inadequate or unacceptable and most practices require considerable improvement to minimum performance expectations. Teacher requires close and frequent supervision in the performance of all responsibilities.
- (2) Below Standard. Performance is sometimes inadequate or unacceptable and needs improvement. Teacher requires supervision and assistance to maintain an adequate scope of competencies, and sometimes fails to perform additional responsibilities as assigned.
- (3) At Standard. Performance is consistently adequate or acceptable. Teaching practices fully meet all performance expectations at an acceptable level. Teacher maintains an adequate scope of competencies and performs additional responsibilities as assigned.
- (4) Above Standard. Performance is frequently high. Some teaching practices are demonstrated at a high level while others are at a consistently adequate or acceptable level. Teacher sometimes seeks to expand scope of competencies and occasionally undertakes additional appropriate responsibilities.
- (5) Well Above Standard. Performance is frequently outstanding. Some teaching practices are demonstrated at the highest level while others are at

## **TITLE 16 - DEPARTMENT OF PUBLIC EDUCATION**

### **CHAPTER 6 - ELEMENTARY AND SECONDARY**

a consistently high level. Teacher frequently seeks to expand scope of competencies and often undertakes additional appropriate responsibilities.

(6) Superior. Performance is consistently outstanding. Teaching practices are demonstrated at the highest level of performance. Teacher continuously seeks to expand scope of competencies and constantly undertakes additional appropriate responsibilities.

*History Note: Authority G.S. 115C-333;  
Eff. July 1, 1986;  
Amended Eff. September 1, 1999.*

## **TITLE 19A - DEPARTMENT OF STATE TRANSPORTATION**

### **CHAPTER 3 - DIVISION OF MOTOR VEHICLES**

#### **SUBCHAPTER 3I - RULES AND REGULATIONS GOVERNING THE LICENSING OF COMMERCIAL RIVER TRAINING SCHOOLS AND INSTRUCTIONS**

##### **SECTION .0300 - SCHOOL LOCATION: PHYSICAL FACILITIES: AND COURSES OF INSTRUCTION**

###### **.0307 COURSES OF INSTRUCTION**

Commercial driver training schools may teach the following courses:

(1) For unlicensed persons 18 years of age or older, a course as follows:

(a) Classroom Instruction. A minimum of six hours, including (but not limited to) rules of the road and other laws affecting the operation of motor vehicles, safe driving practices, pedestrian safety, and the general responsibilities of the driver. No class may consist of more than fifty students. Classroom work shall be limited to no more than six hours per day.

(b) Behind-the-Wheel Instruction. A minimum of six hours, including instruction and practice in all the basic physical skills necessary for proper control of a motor vehicle in all normal driving situations, such as starting, stopping, steering and turning, controlling the vehicle in traffic, backing, and parking. A valid learner's permit issued by the Driver License Section of the Division is required.

(c) A person holding a valid learner's permit issued by the Driver License Section of the Division shall not be required to take the six hours of classroom instruction set forth in Sub-item (1)(a) of this Rule.

(d) A person holding a valid learner's permit or driver's license issued by the Driver License Section of the Division may contract for any

portion of the six-hour behind-the-wheel instruction.

(2) For licensed persons a course for purposes of driver improvement, such as improving their knowledge and skill in the operation of a motor vehicle.

(3) For unlicensed persons under the age of 18 years, a course which must be approved by the Commissioner and the State Superintendent of Public Instruction as follows:

(a) Classroom Instruction shall not include workbook assignments or other work out of the presence of an instructor. An instructor or employee of a commercial driver education school shall not administer a proficiency test. No class may consist of more than 50 students. Classroom work shall be limited to no more than three hours per day on school days and six hours per day on non-school days. A minimum of 30 hours shall be taught, consisting of instruction in:

(i) highway transportation: its social and economic influences upon life in America;

(ii) drivers: their physical and mental characteristics and how their capabilities and limitations influence the traffic scene;

(iii) the automobile: its construction, maintenance, and safe operation;

(iv) traffic law and enforcement: laws of nature and man-made laws; and their relationship to traffic safety;

(v) pedestrians and bicycles: their influence upon the traffic scene;

(vi) engineering: its influence upon automobiles, highways, traffic controls, and people;

(vii) driving while impaired; six hours of instruction on the effects of drinking upon driving and upon accident and death rates; and

(viii) rights and privileges of handicapped persons; their rights to use flags, placards, cards, license plates, and parking places.

(b) Behind-the-Wheel Instruction. A minimum of six hours, actually under the wheel, including:

(i) familiarization with the automobile, the use of its controls; and the development of skills essential to safe operation in traffic; and

(ii) driving in traffic with the instructor in a dual control car to develop abilities needed to follow the soundest course of action in responding to complex situations.

(iii) simulators may not be substituted for

any part of the six hours of behind-the-wheel instruction.

(c) Restrictions:

- (i) Behind-the-Wheel instruction shall be offered to a student only after he has completed the classwork section. If a student has contracted for both classwork and behind-the-wheel training, behind-the-wheel training may begin after classwork starts and before classwork has been completed. At no time shall a student be taken out of class to attend behind-the-wheel training.
- (ii) No student shall operate a motor vehicle upon any public street or highway unless such student shall have in his immediate possession a valid Restricted Instruction Permit issued by the Division.
- (iii) No more than two hours of behind-the-wheel training shall be given in any one day. A written record indicating the date and time of this training shall be kept on file for each student. The record must be signed by the student in ink after each driving session, and shall not include any hours of observation of other students, i.e. mere presence in the car while someone else is driving.
- (iv) Whether private, or a contract with a school system, an instructor may not provide behind-the-wheel training to more than three individuals. If transporting more than three individual students the instructor shall operate the vehicle.

(d) Other requirements:

- (i) Plans for the content of the curriculum, its organization, and presentation shall be submitted on Form SBTS-610 for the approval of the Commissioner and the State Superintendent of Public Instruction. In addition, lesson plans for each of the 30 hours must be submitted.
- (ii) Textbooks for use in the classwork section shall be chosen from those approved by the State Superintendent of Public Instruction.
- (iii) Instructors must be approved by both the Commissioner and the State Superintendent of Public Instruction.
- (iv) All expenses incurred in offering and teaching these courses shall be paid by the persons enrolled therein or the school offering the course.
- (v) A student may enroll for either the classroom work or behind-the-wheel instruction, or both. A school may accept certification of completion of classroom instruction from any school authorized to offer such a course, provided the certificate (Form SBTS-611A) is signed by the principal of the public school, or the superintendent of the administrative unit of which it is a part, or the executive officer of a non-public secondary school. All SBTS-611A forms shall be mailed or taken directly to the high school for completion by the commercial school owner or instructor. Under no circumstances shall the form be given to the student.
- (vi) Schools offering this course shall issue to their students upon completion of either or both parts of the course a certificate furnished by the Division (Form SBTS-611). This certificate verifies only the training taught by the commercial school. The student's name on this certificate must be as it appears on his birth certificate. Schools shall be accountable to the Division for all certificates issued to them.
- (vii) The student, upon submitting certification of satisfactory completion of both parts of the driver education course, shall be eligible for licensing as provided by law. Such certification may be from either or both a public or non-public secondary school or a commercial driver training school.
- (viii) Schools shall submit reports to the Division, as may be required by the Division Rules and their books and records shall be open to inspection by Division representatives at all reasonable times.

(e) A person completing the 30 and six hour course who desires additional training may contract for any portion of the six-hour behind-the-wheel instruction.

(4) For licensed persons taking a course offered by a restricted commercial driver training school, the following courses are authorized:

- (a) curriculum for evaluation and improvement for licensed adult drivers only, utilizing over-the-road observation in vehicles not owned by the school or equipment such as driving simulators;
- (b) professional curricula, including one or more of the following:
  - (i) police pursuit driving;

- (ii) auto-cross driving;
- (iii) emergency-vehicle driving; or
- (iv) road and track racing.

(5) Instructor training program, the requirements for which are:

- (a) the school must be licensed one full year prior to approval;
- (b) all work must be with an instructor licensed as an Instructor Trainer;
- (c) a proposed plan of operation must be submitted to the Division outlining the training schedule, including:
  - (i) instruction in:
    - (A) using effective teaching methods,
    - (B) writing lesson plans,
    - (C) reviewing of Rules Governing the Licensing of Commercial Driver Training Schools and Instructors,
    - (D) using audio visual equipment and teaching aids,
    - (E) filling out fully and properly all commercial school forms, and
  - (ii) listing names of Instructor Trainers to be employed for the training program.

*History Note: Authority G.S. 20-321; 20-322; 20-323; 20-324;*

*Eff. July 2, 1979;*

*Amended Eff. August 1, 2000; July 1, 1994; December 1, 1993; November 1, 1991; April 1, 1989.*

## SECTION .0400 - MOTOR VEHICLES USED IN INSTRUCTION

### .0402 REGISTRATION: INSURANCE: INSPECTION

(a) Each vehicle used by the school shall be registered as required by G.S. 20, and bear a current inspection certificate.

(b) Each vehicle used by the school shall be insured by a company licensed to do business in North Carolina against liability in the amount of at least fifty thousand dollars (\$50,000) because of injury to or destruction of property of others in any one accident, one hundred thousand dollars (\$100,000) because of bodily injury to or death of one person in any one accident, and three hundred thousand dollars (\$300,000) because of bodily injury to or death of two or more persons in any one accident. This insurance coverage shall be secured on an annual basis. In the event coverage for any vehicle used for driver instruction or training shall not be renewed, the school shall give written notice to the Division at least 10 days prior to the expiration date of the coverage. A certificate of insurance coverage shall be filed by the insurance underwriter with the Division. Cancellation shall be accomplished upon 15 days prior written notice to the Division by the insurance underwriter.

(c) Each vehicle used by a school shall be listed and inspected in the manner prescribed by the Division of Motor Vehicle rules. In addition, each vehicle shall be inspected and approved by a

representative of the Division before it is used. Each vehicle shall be inspected and approved by a representative of the Division annually and at any other reasonable time as indicated by the circumstances.

*History Note: Authority G.S. 20-321; 20-322; 20-323; 20-324;*

*Eff. July 2, 1979;*

*Amended Eff. August 1, 2000; May 1, 1987.*

## SECTION .0800 - LICENSE REVOCATION OR SUSPENSION

### .0804 PROBATIONARY PERIOD

If any school or instructor is found to be in violation of any provision of Article 14, G.S. 20 or any provision of these Rules, the school or instructor may be placed on probation. The length of the probationary period may not exceed one year. The probationary period shall be determined by the Commissioner or the Commissioner's authorized representative. The request by a school or an instructor for a hearing shall follow the same procedure as listed in Rule .0803 of this Section.

*History Note: Authority G.S. 20-321; 20-322; 20-323; 20-325;*

*Eff. August 1, 2000.*

## TITLE 21 - OCCUPATIONAL LICENSING BOARDS

### CHAPTER 14 BOARD OF COSMETIC ART EXAMINERS

#### SUBCHAPTER I4I - OPERATIONS OF SCHOOLS OF COSMETIC ART

## SECTION .0100 - RECORD KEEPING

### .0104 WITHDRAWALS

(a) When a student who is enrolled in a cosmetic art school withdraws from such school, whether by reason of transfer to another school, dismissal, suspension, voluntary disenrollment, or for any reason other than graduation, the cosmetic art school shall report the withdrawal to the Board within 30 working days.

(b) Such report shall contain the following:

- (1) name of the student,
- (2) Social Security number,
- (3) the last day of attendance,
- (4) the reason for withdrawal (if known),
- (5) the hours completed at the time of withdrawal, and
- (6) copy of all live model performances completed at the time of withdrawal.

*History Note: Authority G.S. 88B-4; 88B-16;*

*Eff. February 1, 1976;*

*Eff. August 1, 1998; April 1, 1991; January 1, 1989; April 1, 1988;*

*Temporary Amendment Eff. January 1, 1999;  
Amended Eff. August 1, 2000.*

**.0107 REPORT OF ENROLLMENT**

(a) A cosmetic art school shall report cosmetology enrollments to the Board not later than 30 working days after a student enrolls in school. A cosmetic art school shall report manicurist and esthetician enrollments to the Board not later than 15 working days after a student enrolls in school. If a student's enrollment is not reported within 30 working days for cosmetology and 15 working days for manicurist, the cosmetic art school shall file a copy of the student's daily time records when it reports the student's enrollment.

(b) The school must report the enrollment of students prior to the student applying for the cosmetologist, manicurist, or esthetician examination and before any hours can be credited.

*History Note: Authority G.S. 88B-4; 88B-9;*

*Eff. February 1, 1976;*

*Amended Eff. April 1, 1991; January 1, 1989; April 1, 1998;*

*Temporary Amendment Eff. January 1, 1999;*

*Amended Eff. August 1, 2000; April 1, 1999.*

**SUBCHAPTER 14J - COSMETOLOGY CURRICULUM**

**SECTION .0200 - ADVANCED DEPARTMENT**

**.0208 INTERNSHIPS**

Schools and selected cosmetic art shops desiring to implement an internship program will follow these requirements:

- (1) Schools wishing to participate in an internship program must notify the Board of intent to implement a program before credit for an internship can be granted. Cosmetic art shops and student selection criteria must be submitted along with the notification.
- (2) Schools will report to the Board all cosmetic art shops contracted and students selected to participate in the program.
- (3) Internships may be arranged in various time frames but shall never exceed 10% of a student's training period.
- (4) Credit for an internship shall be granted upon submission of student hours verification based on a daily attendance record. Hours must be recorded on a form approved by the school.
- (5) Students may be assigned a variety of duties, but client services are restricted. Cosmetology students may only provide shampoo services. Esthetician and manicuring students shall not perform any direct client services. Cosmetic art shop violation of restrictions or school requirements may result in the termination of the internship contract and the possible loss of student training hours.
- (6) Students must follow all cosmetic art shop employee rules and regulations. Violations of cosmetic art shop rules or any misconduct may result in dismissal of the intern or loss of training hours.

- (7) A licensed teacher need not be in attendance during this internship.
- (8) Students participating in the program shall not receive compensation for duties performed in the cosmetic art shop.

*History Note: Authority G.S. 88B-4;*

*Adopted Eff. August 1, 2000;*

*Temporary Adoption Eff. January 1, 1999;*

*Eff. August 1, 2000.*

**SECTION .0500 - CREDIT FOR COSMETOLOGY STUDY OUTSIDE OF NORTH CAROLINA**

**.0501 APPROVAL OF CREDIT FOR COSMETOLOGY INSTRUCTION/ANOTHER STATE**

(a) An applicant may receive credit for instruction taken in another state if the conditions set forth in the Rule are met.

(b) The applicant's record shall be certified by the state agency or department that issues licenses to practice in the cosmetic arts. If the agency or department does not maintain any student records or if the state does not give license to practice in the cosmetic arts, then the records may be certified by any state department or state agency that does maintain such records and is willing to certify their accuracy. If no state department or board will certify the accuracy of the student's records, then the Board shall review the student's records on a case-by-case basis.

(c) If the requirements of Paragraph (b) of the Rule are met, then the Board will give credit for hours of course work and for mannequin and live model performances to the extent certified, up to the amount of credit that the student would receive for instruction in a school licensed by the Board. If the certification includes only total hours and does not specify what performances have been completed, the Board will not give any credit for performances completed as part of the out-of-state instruction.

*History Note: Authority G.S. 88B-12; 88B-13;*

*Eff. March 2, 1992;*

*Amended Eff. August 1, 2000; August 1, 1998; June 1, 1994.*

**SUBCHAPTER 14L - COSMETIC ART TEACHERS**

**SECTION .0100 - TEACHER QUALIFICATIONS AND EXAMINATIONS**

**.0101 QUALIFICATIONS - COSMETOLOGIST TEACHERS**

*History Note: Authority G.S. 88-23;*

*Eff. February 1, 1976;*

*Amended Eff. August 1, 1998; May 1, 1991, August 1, 1989;*

*May 1, 1988;*

*Repealed Eff. August 1, 2000.*

**SUBCHAPTER 14N - EXAMINATIONS**

**SECTION .0100 - GENERAL PROVISIONS**

**.0113 RE-EXAMINATION**

(a) If, upon application for re-examination, the applicant has taken and passed one section of an examination, he or she shall apply for re-examination only on the section of the examination which he or she did not pass.

(b) Applicants for re-examination must apply for re-examination in writing and pay the appropriate examination fee.

(c) Upon written request by any candidate, the Board shall release a summary of the results of each category of the practical section of the most recent examination to the school in which the candidate is enrolled for the additional study, pursuant to G.S. 88B-18(d).

(d) The school in which the student has enrolled pursuant to G.S. 88B-18(d) shall design a course of study for that student in order to correct the student's deficiencies.

(e) A candidate for licensure as an apprentice cosmetologist who:

- (1) passes the examination with a score of 75 percent or more on both sections; and
- (2) subsequently completes an additional 300 hours within one year of the examination date may be licensed as a cosmetologist under G.S. 88B-7 without retaking the examination.

*History Note: Authority G.S. 88B-4; 88B-18;  
Eff. June 1, 1992;*

*Amended Eff. August 1, 1998; June 1, 1993;*

*Temporary Amendment Eff. January 1, 1999;*

*Amended Eff. August 1, 2000.*

**SUBCHAPTER 14O - ESTHETICIAN CURRICULUM**

**SECTION .0100 - ESTHETICIAN CURRICULUM**

**.0101 UNIFORMS**

All students in training as an esthetician shall wear a clean, white, clothing, nametag identifying academic status, and clean, solid white shoes.

*History Note: Authority G.S. 88B-4;  
Temporary Adoption Eff. January 1, 1999;  
Eff. August 1, 2000.*

**.0104 SERVICES PERFORMED**

No student enrolled in a course for esthetics only, shall perform any service of cosmetic art except those directly related to the prescribed course in esthetics unless otherwise licensed to do so.

*History Note: Authority G.S. 88B-4;  
Temporary Adoption Eff. January 1, 1999;  
Eff. August 1, 2000.*

**SUBCHAPTER 14P - ESTHETICIAN LICENSE**

**SECTION .0100 - ESTHETICIAN LICENSE**

**.0105 RENEWALS; EXPIRED LICENSES; LICENSES REQUIRED:**

(a) The presumptive civil penalty for operating a cosmetic art shop with an expired license is:

(1)	1 <sup>st</sup> offense	warning (\$100.00)
(2)	2 <sup>nd</sup> offense	\$250.00
(3)	3 <sup>rd</sup> offense	\$500.00

(b) The presumptive civil penalty for practicing cosmetology, manicuring, or esthetics with an expired license is:

(1)	1 <sup>st</sup> offense	warning (\$100.00)
(2)	2 <sup>nd</sup> offense	\$250.00
(3)	3 <sup>rd</sup> offense	\$500.00

*History Note: Authority G.S. 88B-4; 88B-21; 88B-23(a); 88B-24; 88B-29;*

*Temporary Adoption Eff. January 1, 1999;*

*Eff. August 1, 2000.*

**.0111 ESTABLISHMENT OF COSMETIC ART SCHOOLS**

(a) The presumptive civil penalty for failure to provide minimum floor space or equipment and supplies as required by Subchapters 14I and 14J is:

(1)	1 <sup>st</sup> offense	\$200.00
(2)	2 <sup>nd</sup> offense	\$350.00
(3)	3 <sup>rd</sup> offense	\$500.00

(b) The presumptive civil penalty for failure to provide instruction at a ratio of one teacher for every 20 students is:

(1)	1 <sup>st</sup> offense	warning (\$100.00)
(2)	2 <sup>nd</sup> offense	\$250.00
(3)	3 <sup>rd</sup> offense	\$500.00

(c) The presumptive civil penalty for failure to report a change in the teaching staff is:

(1)	1 <sup>st</sup> offense	warning (\$50.00)
(2)	2 <sup>nd</sup> offense	\$100.00
(3)	3 <sup>rd</sup> offense	\$200.00

(d) The presumptive civil penalty for failure to submit an application for the approval of a school in the case of a change of location or ownership is:

(1)	1 <sup>st</sup> offense	\$100.00
(2)	2 <sup>nd</sup> offense	\$200.00
(3)	3 <sup>rd</sup> offense	\$500.00

*History Note: Authority G.S. 88B-4(2); 88B-16; 88B-29;*

*Temporary Adoption Eff. January 1, 1999;*

*Eff. August 1, 2000.*

**.0112 SANITARY RATINGS AND POSTING OF RATINGS - APPLICABLE TO ESTABLISHMENTS WITH A SANITATION GRADE OF LESS THAN 80%**

(a) The presumptive civil penalty for failure to display an inspection grade card is:

(1)	1 <sup>st</sup> offense	warning (\$50.00)
(2)	2 <sup>nd</sup> offense	\$100.00

(3) 3<sup>rd</sup> offense \$200.00

(b) The presumptive civil penalty for non-working toilet facilities is:

(1) 1<sup>st</sup> offense warning (\$50.00)  
(2) 2<sup>nd</sup> offense \$100.00  
(3) 3<sup>rd</sup> offense \$200.00

(c) The presumptive civil penalty for failure to maintain equipment, furnishings and floor coverings is:

(1) 1<sup>st</sup> offense warning (\$25.00)  
(2) 2<sup>nd</sup> offense \$50.00  
(3) 3<sup>rd</sup> offense \$100.00

(d) The presumptive civil penalty for failure to provide hot and cold running water is:

(1) 1<sup>st</sup> offense warning (\$50.00)  
(2) 2<sup>nd</sup> offense \$100.00  
(3) 3<sup>rd</sup> offense \$200.00

(e) The presumptive civil penalty for keeping any animal or bird a cosmetic art shop or school is: (Trained animals accompanying sightless or hearing impaired persons are exempt)

(1) 1<sup>st</sup> offense warning (\$25.00)  
(2) 2<sup>nd</sup> offense \$50.00  
(3) 3<sup>rd</sup> offense \$100.00

(f) The presumptive civil penalty for failure to have students wear clean, white clothing is:

(1) 1<sup>st</sup> offense warning (\$50.00)  
(2) 2<sup>nd</sup> offense \$100.00  
(3) 3<sup>rd</sup> offense \$200.00

(g) The presumptive civil penalty for failure of operators in cosmetic art shops to wear clean outer garments with sleeves is:

(1) 1<sup>st</sup> offense warning (\$50.00)  
(2) 2<sup>nd</sup> offense \$100.00  
(3) 3<sup>rd</sup> offense \$200.00

(h) The presumptive civil penalty for failure to store used or clean towels, or failure to launder used towels is:

(1) 1<sup>st</sup> offense warning (\$50.00)  
(2) 2<sup>nd</sup> offense \$100.00  
(3) 3<sup>rd</sup> offense \$200.00

(i) The presumptive civil penalty for failure to dispose of supplies or instruments which come in direct contact with a patron and which cannot be disinfected is:

(1) 1<sup>st</sup> offense warning (\$50.00)  
(2) 2<sup>nd</sup> offense \$100.00  
(3) 3<sup>rd</sup> offense \$200.00

(j) The presumptive civil penalty for failure to disinfect non-electrical instruments and equipment is:

(1) 1<sup>st</sup> offense warning (\$50.00)  
(2) 2<sup>nd</sup> offense \$100.00  
(3) 3<sup>rd</sup> offense \$200.00

(k) The presumptive civil penalty for failure to store and label creams, powders, and other cosmetic preparations is:

(1) 1<sup>st</sup> offense warning (\$25.00)  
(2) 2<sup>nd</sup> offense \$50.00  
(3) 3<sup>rd</sup> offense \$100.00

(l) The presumptive civil penalty for failure to have necessary first aid equipment on hand is:

(1) 1<sup>st</sup> offense warning (\$25.00)  
(2) 2<sup>nd</sup> offense \$50.00

(3) 3<sup>rd</sup> offense \$100.00

(m) The presumptive civil penalty for failure to provide necessary lighting or ventilation, unsanitary conditions is:

(1) 1<sup>st</sup> offense warning (\$50.00)  
(2) 2<sup>nd</sup> offense \$100.00  
(3) 3<sup>rd</sup> offense \$200.00

(n) The presumptive civil penalty for windows and doors not effectively screened is:

(1) 1<sup>st</sup> offense warning (\$50.00)  
(2) 2<sup>nd</sup> offense \$100.00  
(3) 3<sup>rd</sup> offense \$200.00

(o) The presumptive civil penalty for trash containers not covered is:

(1) 1<sup>st</sup> offense warning (\$25.00)  
(2) 2<sup>nd</sup> offense \$50.00  
(3) 3<sup>rd</sup> offense \$100.00

(p) The presumptive civil penalty for failure to use EPA approved disinfectant is:

(1) 1<sup>st</sup> offense \$50.00  
(2) 2<sup>nd</sup> offense \$100.00  
(3) 3<sup>rd</sup> offense \$200.00

(q) The presumptive civil penalty for failure to maintain a sanitary establishment (80% rating or better) is:

(1) 1<sup>st</sup> offense warning (\$25.00)  
(2) 2<sup>nd</sup> offense \$50.00  
(3) 3<sup>rd</sup> offense \$100.00

*History Note: Authority G.S. 88B-4; 88B-29;*

*Temporary Adoption Eff. January 1, 1999.*

*Eff. August 1, 2000.*

#### **.0114 COSMETOLOGY CURRICULUM**

(a) The presumptive civil penalty for a school allowing cosmetology students with less than 300 hours credit to work on the public. (Shampoo and scalp manipulations are exempt) is:

(1) 1<sup>st</sup> offense \$100.00  
(2) 2<sup>nd</sup> offense \$200.00  
(3) 3<sup>rd</sup> offense \$300.00

(b) The presumptive civil penalty for a school for manicurist students with less than 16 hours credit working on the public is:

(1) 1<sup>st</sup> offense \$100.00  
(2) 2<sup>nd</sup> offense \$200.00  
(3) 3<sup>rd</sup> offense \$300.00

(c) The presumptive civil penalty for a school for esthetician students with less than 60 hours credit working on the public is:

(1) 1<sup>st</sup> offense \$100.00  
(2) 2<sup>nd</sup> offense \$200.00  
(3) 3<sup>rd</sup> offense \$300.00

*History Note: Authority G.S. 88B-4; 88B-29;*

*Temporary Adoption Eff. January 1, 1999.*

*Eff. August 1, 2000.*

#### **.0116 CIVIL PENALTY PROCEDURES**

(a) Citations. The Board, through its duly authorized representatives, shall issue a citation with respect to any violation for which a civil penalty may be assessed. Each citation shall be in writing and shall describe the nature of the violation, including a reference to the specific provision alleged to have been violated. The civil penalty, if any, shall attach at the time the citation is written. The citation shall include an order to correct any condition or violation which lends itself to corrections, as determined by the Board.

(b) Correction of Violation. Any licensee who has been issued a warning citation must present written proof satisfactory to the Board, or its executive director, that the violation has been corrected. This provision applies only to a licensee's first violation in any one year period for a violation with a 1st offense warning penalty. Proof of correction shall be presented to the Board, through its executive director, within 30 days of the date the warning citation was issued. The Board may, in its discretion, extend for a reasonable period, the time within which to correct the warning citation in case of a death or hospitalization. Notices of correction filed after the prescribed date shall not be acceptable and the civil penalty shall be paid.

(c) Contested Case. Persons to whom a notice of violation or a citation is issued and a civil penalty assessed, may contest the civil penalty by filing written notice with the Board. The Board shall institute a contested case by sending a notice of hearing pursuant to G.S. 150B, Article 3A. The issuance of notice of hearing shall stay the civil penalty until the Board renders a final agency decision in the contested case.

(d) Final Agency Decision. The Board, after the hearing has been concluded, may affirm, reduce, or dismiss the charges filed in the notice of hearing or any penalties assessed. In no event shall the civil penalty be increased.

(e) Failure to File. If no written notice contesting the civil penalty is filed as set forth in Paragraph (c), the civil penalty becomes a final agency decision.

*History Note: Authority G.S. 88B-4; 88B-29;  
Temporary Adoption Eff. January 1, 1999;*

*Eff. August 1, 2000.*

## CHAPTER 46 - BOARD OF PHARMACY

### SECTION .1800 - PRESCRIPTIONS

#### .1815 EMERGENCY PRESCRIPTION REFILL DUE TO INTERRUPTION OF MEDICAL SERVICES

In the event a pharmacist or device and medical equipment permit holder receives a request for a prescription refill and the pharmacist or permit holder is unable to readily obtain refill authorization from the prescriber because of the prescriber's inability to provide medical services to the patient, the pharmacist or permit holder may dispense a one-time emergency supply of up to 90 days of the prescribed medication, provided that:

- (1) The prescription is not for a Schedule II controlled substance;
- (2) The medication is essential to the maintenance of life or to the continuation of therapy in a chronic condition;
- (3) In the pharmacist's or permit holder's professional judgment, the interruption of therapy might reasonably produce undesirable health consequences;
- (4) The dispensing pharmacist or permit holder creates a written order entered in the pharmacy's automated data processing system containing all of the prescription information required by Section .2300 of these Rules and signs that order;
- (5) The dispensing pharmacist or permit holder notifies, or makes a good faith attempt to notify, the prescriber or the prescriber's office of the emergency dispensing within 72 hours after such dispensing.

*History Note: Authority G.S. 90-85.6; 90-85.32;  
Temporary Adoption Eff. October 29, 1998;  
Eff. August 1, 2000.*

This Section contains the agenda for the next meeting of the Rules Review Commission on Wednesday, November 17, 1999, 10:00 a.m., at 1307 Glenwood Ave., Assembly Room, Raleigh, NC. Anyone wishing to submit written comment on any rule before the Commission should submit those comments to the RRC staff, the agency, and the individual Commissioners by Friday, November 12, 1999, at 5:00 p.m. Specific instructions and addresses may be obtained from the Rules Review Commission at 919-733-2721. Anyone wishing to address the Commission should notify the RRC staff and the agency at least 24 hours prior to the meeting.

**RULES REVIEW COMMISSION MEMBERS****Appointed by Senate**

Teresa L. Smallwood, Vice Chairman  
John Arrowood  
Laura Devan  
Jim Funderburke  
David Twiddy

**Appointed by House**

Paul Powell, Chairman  
Walter Futch  
Jennie J. Hayman  
George Robinson  
R. Palmer Sugg

**RULES REVIEW COMMISSION MEETING DATES**

November 17, 1999  
December 16, 1999  
January 20, 2000

February 17, 2000  
March 16, 2000  
April 13, 2000

**LOG OF FILINGS****RULES SUBMITTED: SEPTEMBER 20, 1999 THROUGH OCTOBER 20, 1999**

AGENCY/DIVISION	RULE NAME	RULE CITATION	ACTION
<b>DEPARTMENT OF/BOARD OF AGRICULTURE</b>			
	Importation Requirements: Swine	2 NCAC 52B .0207	Amend
	Brucellosis Requirements for Sale of Cattle	2 NCAC 52B .0302	Amend
	Certificates: Cattle and Swine Removed	2 NCAC 52E .0209	Amend
<b>DEPARTMENT OF COMMERCE/BANKING COMMISSION</b>			
	Definitions	4 NCAC 3L .0101	Adopt
	Filings	4 NCAC 3L .0102	Adopt
	Application for Licensure	4 NCAC 3L .0201	Adopt
	Fees	4 NCAC 3L .0202	Adopt
	Issuance	4 NCAC 3L .0301	Adopt
	Nontransferability of License	4 NCAC 3L .0302	Adopt
	Annual Renewal of License	4 NCAC 3L .0303	Adopt
	Posting of License	4 NCAC 3L .0401	Adopt
	Surrender of License	4 NCAC 3L .0402	Adopt
	Posting of Fees	4 NCAC 3L .0403	Adopt
	Cash-Out Transactions	4 NCAC 3L .0404	Adopt
	Limitation on Delayed Deposit Check Cashing	4 NCAC 3L .0405	Adopt
	Books and Records	4 NCAC 3L .0501	Adopt
	Examinations: Investigations	4 NCAC 3L .0502	Adopt
	Amendments to Information on File	4 NCAC 3L .0601	Adopt
	Expansion or Relocation	4 NCAC 3L .0602	Adopt
	Impairment of Financial Requirements	4 NCAC 3L .0603	Adopt
	Report of Information to Commissioner	4 NCAC 3L .0604	Adopt
	Enforement Actions	4 NCAC 3L .0701	Adopt

## DHHS/DIVISION OF FACILITY SERVICES

Definitions	10 NCAC 3R .1613	Amend
Required Performance Standards	10 NCAC 3R .1615	Amend
Definitions	10 NCAC 3R .1713	Amend
Information Required of Applicant	10 NCAC 3R .1714	Amend
Required Performance Standards	10 NCAC 3R .1715	Amend
Definitions	10 NCAC 3R .1912	Amend
Information Required of Applicant	10 NCAC 3R .1913	Amend
Required Performance Standards	10 NCAC 3R .1914	Amend
Definitions	10 NCAC 3R .2113	Amend
Definitions	10 NCAC 3R .2713	Amend
Required Performance Standards	10 NCAC 3R .2715	Amend
Required Performance Standards	10 NCAC 3R .4203	Amend
Applicability of Rules Related to 1999 State Plan	10 NCAC 3R .6201	Adopt
Certificate of Need Review Categories	10 NCAC 3R .6202	Adopt
Certificate of Need Review Schedule	10 NCAC 3R .6203	Adopt
Multi-County Groupings	10 NCAC 3R .6204	Adopt
Service Areas and Planning Areas	10 NCAC 3R .6205	Adopt
Reallocations and Adjustments	10 NCAC 3R .6206	Adopt
Acute Care Bed Need Determination	10 NCAC 3R .6207	Adopt
Rehabilitation Bed Need Determination	10 NCAC 3R .6208	Adopt
Ambulatory Surgical Facilities Need Determination	10 NCAC 3R .6209	Adopt
Open-Heart Surgery Services	10 NCAC 3R .6210	Adopt
Heart-Lung Bypass Machines	10 NCAC 3R .6211	Adopt
Fixed Cardiac Catheterization Equipment	10 NCAC 3R .6212	Adopt
Mobile Cardiac Catheterization Equipment	10 NCAC 3R .6213	Adopt
Burn Intensive Care Services Need Determination	10 NCAC 3R .6214	Adopt
Positron Emission Tomography Scanners Need Deter	10 NCAC 3R .6215	Adopt
Bone Marrow Transplantation Services Need Deter	10 NCAC 3R .6216	Adopt
Solid Organ Transplantation Services Need	10 NCAC 3R .6217	Adopt
Gamma Knife Need Determination	10 NCAC 3R .6218	Adopt
Lithotripter Need Determination	10 NCAC 3R .6219	Adopt
Radiation Oncology Treatment Centers Need	10 NCAC 3R .6220	Adopt
Magnetic Resonance Imaging Scanners Need	10 NCAC 3R .6221	Adopt
Nursing Care Bed Need Determination	10 NCAC 3R .6222	Adopt
Home Health Agency Office Need Determination	10 NCAC 3R .6223	Adopt
Dialysis Station Need Determination	10 NCAC 3R .6224	Adopt
Hospice Need Determination	10 NCAC 3R .6225	Adopt
Hospice Inpatient Facility Bed Need	10 NCAC 3R .6226	Adopt
Psychiatric Bed Need Determination	10 NCAC 3R .6227	Adopt
Chemical Dependency Treatment Bed Need	10 NCAC 3R .6228	Adopt
Intermediate Care Beds for Mentally Retarded	10 NCAC 3R .6229	Adopt
Policies for General Acute Care Hospitals	10 NCAC 3R .6230	Adopt
Policies for Inpatient Rehabilitation Services	10 NCAC 3R .6231	Adopt
Policy for Ambulatory Surgical Facilities	10 NCAC 3R .6232	Adopt
Policy for Provision of Hospital-Based Care	10 NCAC 3R .6233	Adopt
Policy for Nursing Care Beds	10 NCAC 3R .6234	Adopt
Policy for Determination of Need	10 NCAC 3R .6235	Adopt
Policy for Relocation of Certain Nursing Beds	10 NCAC 3R .6236	Adopt
Policy for Home Health Services	10 NCAC 3R .6237	Adopt
Policy for End-Stage Renal Disease Dialysis	10 NCAC 3R .6238	Adopt
Policies for Psychiatric Inpatient Facilities	10 NCAC 3R .6239	Adopt
Policy for Chemical Dependency Treatment	10 NCAC 3R .6240	Adopt
Policies for Intermediate Care Facilities	10 NCAC 3R .6241	Adopt
Definitions	10 NCAC 3S .0108	Repeal
Policies and Procedures	10 NCAC 3S .0109	Repeal
Certification Required	10 NCAC 3S .0207	Repeal

Types of Certification	10 NCAC 3S .0208	Repeal
Application	10 NCAC 3S .0209	Repeal
Inspection	10 NCAC 3S .0210	Repeal
Review Team: Review Process	10 NCAC 3S .0211	Repeal
Adverse Action	10 NCAC 3S .0213	Repeal
Procedure for Appeal	10 NCAC 3S .0214	Repeal
Composition of Staff	10 NCAC 3S .0307	Repeal
Minimal Education Standards	10 NCAC 3S .0308	Repeal
Admission Criteria	10 NCAC 3S .0407	Repeal
Patient Assessment	10 NCAC 3S .0408	Repeal
Team Coordination and Staffings	10 NCAC 3S .0506	Repeal
Cardiac Therapy	10 NCAC 3S .0507	Repeal
Diet Therapy	10 NCAC 3S .0508	Repeal
Psychological Services	10 NCAC 3S .0509	Repeal
Vocational Rehabilitation Counseling and Services Review	10 NCAC 3S .0510	Repeal
Progress Evaluation and Follow-Up Procedures	10 NCAC 3S .0614	Repeal
Medical Follow-Up	10 NCAC 3S .0615	Repeal
Cardiac Therapy Follow-Up	10 NCAC 3S .0616	Repeal
Dietary Follow-Up	10 NCAC 3S .0617	Repeal
Psychological Follow-Up	10 NCAC 3S .0618	Repeal
Vocational Rehabilitation Follow-Up	10 NCAC 3S .0619	Repeal
Criteria for Discharge	10 NCAC 3S .0706	Repeal
Discharge Plan	10 NCAC 3S .0707	Repeal
Policies and Procedures	10 NCAC 3S .0806	Repeal
Record Review Consent	10 NCAC 3S .0807	Repeal
Content of Medical Record	10 NCAC 3S .0808	Repeal
Emergency Plan	10 NCAC 3S .0901	Repeal
Emergency Equipment	10 NCAC 3S .0902	Repeal
Personnel	10 NCAC 3S .0903	Repeal
Emergency Drills	10 NCAC 3S .0904	Repeal
Program Requirements	10 NCAC 3S .1001	Repeal
Graded Exercise Testing Laboratory Evaluation	10 NCAC 3S .1002	Repeal
Cardiac Therapy	10 NCAC 3S .1003	Repeal
Dietary Program	10 NCAC 3S .1004	Repeal
Psychological Program	10 NCAC 3S .1005	Repeal
Vocational Rehabilitation Program	10 NCAC 3S .1006	Repeal
Definitions	10 NCAC 3S .1101	Adopt
Certification Required	10 NCAC 3S .1201	Adopt
Certification Process	10 NCAC 3S .1202	Adopt
Certificate Renewal	10 NCAC 3S .1203	Adopt
Certification Following Program Changes	10 NCAC 3S .1204	Adopt
Inspections	10 NCAC 3S .1205	Adopt
Adverse Action	10 NCAC 3S .1206	Adopt
Procedure for Appeal	10 NCAC 3S .1207	Adopt
Staff Requirements and Responsibilities	10 NCAC 3S .1301	Adopt
Policies and Procedures	10 NCAC 3S .1302	Adopt
Continuous Quality Improvement	10 NCAC 3S .1303	Adopt
Patient Rights	10 NCAC 3S .1401	Adopt
Admission and Discharge	10 NCAC 3S .1501	Adopt
Patient Assessment	10 NCAC 3S .1601	Adopt
Care Planning	10 NCAC 3S .1701	Adopt
Follow-up Evaluation	10 NCAC 3S .1702	Adopt
Personnel	10 NCAC 3S .1801	Adopt
Exercise Therapy	10 NCAC 3S .1802	Adopt
Nutrition Services	10 NCAC 3S .1803	Adopt
Mental Health Services	10 NCAC 3S .1804	Adopt

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Vocational Rehabilitation Counseling and Services	10 NCAC 3S .1805	Adopt
Patient Education	10 NCAC 3S .1806	Adopt
Emergency Plan	10 NCAC 3S .1901	Adopt
Emergency Equipment	10 NCAC 3S .1902	Adopt
Emergency Drills	10 NCAC 3S .1903	Adopt
Medical Records - Policies and Procedures	10 NCAC 3S .2001	Adopt
Content of Medical Records	10 NCAC 3S .2002	Adopt
Physical Environment and Equipment	10 NCAC 3S .2101	Adopt
Graded Exercise Testing Laboratory	10 NCAC 3S .2102	Adopt
Exercise Therapy	10 NCAC 3S .2103	Adopt
Nutrition Services	10 NCAC 3S .2104	Adopt
Mental Health Services	10 NCAC 3S .2105	Adopt
Vocational Rehabilitation Services	10 NCAC 3S .2106	Adopt
<b>DHHS/COMMISSION FOR THE BLIND</b>		
Secretary's Review & Final Decision	10 NCAC 19G .0823	Amend
Civil Action	10 NCAC 19G .0827	Amend
<b>DHHS/COMMISSION FOR MH/DD/SAS</b>		
Schedule IV	10 NCAC 45 .0205	Amend
<b>DEPARTMENT OF INSURANCE</b>		
Viatical Settlement Providers	11NCAC 12 .1702	Amend
<b>DEPARTMENT OF INSURANCE</b>		
Collateral Security Returned	11NCAC 13 .0514	Repeal
Continuing Education	11NCAC 13 .0518	Repeal
<b>DENR/ENVIRONMENTAL MANAGEMENT COMMISSION</b>		
New Source Performance Standards	15 NCAC 2D .0524	Amend
Control of Emissions from Abrasive Blasting	15 NCAC 2D .0541	Adopt
Definitions	15 NCAC 2D .1801	Adopt
Control of Odors from Animal Operations	15 NCAC 2D .1802	Adopt
Best Management Plans for Animal Operations	15 NCAC 2D .1803	Adopt
Reporting Requirements for Animal Operations	15 NCAC 2D .1804	Adopt
Activities Exempted from Permit Requirements	15 NCAC 2Q .0102	Amend
<b>DENR/MARINE FISHERIES COMMISSION</b>		
Fishery Resource Grant Program	15 NCAC 3I .0117	Repeal
<b>DENR/COMMISSION FOR HEALTH SERVICES</b>		
General	15 NCAC 26C .0101	Adopt
Definitions	15 NCAC 26C .0102	Adopt
Birth Defects Advisory Committee	15 NCAC 26C .0103	Adopt
Surveillance of Birth Defects	15 NCAC 26C .0104	Adopt
Confidentiality	15 NCAC 26C .0105	Adopt
Release of Monitoring Program Information	15 NCAC 26C .0106	Adopt
<b>STATE BOARDS/N C ACUPUNCTURE LICENSING BOARD</b>		
Qualifications for Licensure	21 NCAC 1 .0101	Amend
<b>STATE BOARDS/N C LICENSING BOARD FOR GENERAL CONTRACTORS</b>		
Increase in Limitation	21 NCAC 12 .0504	Amend
<b>STATE BOARDS/N C BOARD OF NURSING</b>		
Reexamination	21 NCAC 36 .0213	Amend
<b>STATE BOARDS/N C BOARD OF PHARMACY</b>		
Absence of Pharmacist	21 NCAC 46 .1413	Amend
Prerequisites for Disease State Management Exam	21 NCAC 46 .1508	Adopt
<b>STATE BOARDS/N C PSYCHOLOGY BOARD</b>		
HSP-P Requirements	21 NCAC 54 .2704	Amend
HSP-PA Requirements	21 NCAC 54 .2706	Amend
<b>OFFICE OF ADMINISTRATIVE HEARINGS</b>		
Contested Case Hearing	26 NCAC 4 .0108	Amend

**RULES REVIEW COMMISSION****September 30, 1999**  
**MINUTES**

The Rules Review Commission met on September 30, 1999, in the Assembly Room of the Methodist Building, 1307 Glenwood Avenue, Raleigh, North Carolina. Commissioners in attendance were Chairman Paul Powell, Teresa Smallwood, Jennie J. Hayman, Walter Futch, Jim Funderburk, John Arrowood, Laura Devan, David R. Twiddy, and George Robinson.

Staff members present were: Joseph J. DeLuca, Staff Director; Bobby Bryan, Rules Review Specialist; and Sandy Webster.

The following people attended:

Harry Wilson	State Board of Education
Dedra Alston	DENR
Marge Howell	LABOR
Harry Payne	LABOR
Becky Brown	LABOR
Bob Andrews	LABOR
Kevin Beauregard	LABOR
Tom Hayes	LABOR
Angela S. Waldorf	LABOR
Joy Mayo	Womble Carlyle
Cleo A. Sauter	AFGW Union #1028
Linda Taylor	AFGW Union #1028
Barbara Laymon	DHHS/DPH/WCH
Michael E. Lynch	TWU 569
Glenn Jeranes	TWU 569
White Watkins	AFMA
Tom West	Poyner and Spruill
Steve Steinbeck	DENR/OSWS
Glenn Cutler	Office of the Chief Medical Examiner
Sabrina Lamar	Duke University
R. Todd Brown	CSX Transportation
Jennie W. Mau	Attorney General
Dr. Ada M. Fisher	Rowan County School Board
Tim H. Childers	LABOR
Lisa Thompson	JUSTICE/Criminal Justice Standards
Amy Fullbright	Hunton & Williams
Robin Pendergraft	Attorney General
Thomas Allen	DENR/DAQ
Butch Gunnells	N C Soft Drink Association
Stephen W. Marshall	University of North Carolina
Francis M. Nevils	DENR/DLR/LQS
Libby Manly	SAF
Lori Khamala	SAF
Shirley Bullard	DHHS/CHS
David Hance	DENR/DWQ/GWS
Greg Malhoit	N C Justice & Community Development Center
Hazel Chavis	CAT
Bettie Ragland	CAT
Jay Gervasi	Donaldson and Black
Tom O'Connor	NCOSH Project
James Sanders	NCOSH Project
Leslie Bevacqua	N C Citizens for Business & Industry
Fran E. Preston	N C Retail Merchants Association
Kathleen S. Glancy	Attorney
J L Holliday	DHHS/DPH/CDC

Russell Herman	Citizen
Scotty Jordan	Pace Local 2-0425
Alyce Gowdy Wright	NCOSH
Liz Sessoms	CWEA
Mary Granger	CWEA
Marilyn Gilliam	CWEA
Steve Smith	Lawyer
William Plyler	Lawyer
Molly Masich	OAH
William H. Potter, Jr.	N C Dental Society
Y H Patt	Attorney

## **APPROVAL OF MINUTES**

The meeting was called to order at 10:01 a.m. with Chairman Powell presiding. He asked for any discussion, comments, or corrections concerning the minutes of the August 19, 1999 meeting. There being none, the minutes were approved.

## **FOLLOW-UP MATTERS**

12 NCAC 9A .0103: JUSTICE/Criminal Justice Education & Training Standards Commission – The amended rule submitted by the agency was approved by the Commission.

12 NCAC 9B .0106: JUSTICE/Criminal Justice Education & Training Standards Commission – The amended rule submitted by the agency was approved by the Commission.

12 NCAC 9B .0107, .0113, .0201, .0202, .0203, .0204, .0205, .0206, .0226, .0227, .0228, .0232, .0233 and .0305: JUSTICE/Criminal Justice Education & Training Standards Commission – Rules .0107 and .0113 were approved by the Commission. The rewritten rules submitted by the agency for .0201, .0202, .0203, .0204, .0205, .0206, .0226, .0227, .0228, .0232, .0233, and .0305 were approved by the Commission.

12 NCAC 9C .0211, .0212, and .0213: JUSTICE/Criminal Justice Education & Training Standards Commission – The rewritten rules submitted by the agency were approved by the Commission.

12 NCAC 10B .0103, .0502, and .0601: JUSTICE/Sheriffs' Education & Training Standards – The Commission has not yet met and thus there was no action taken on these rules.

15A NCAC 7H .1805: DENR/Coastal Resources Commission – The rewritten rule submitted by the agency was approved by the Commission.

15A NCAC 27 .0110, .0201, .0301, .0410, .0420, .0430, .0701, .0810, .0820, and .0840: DENR/Well Contractors' Certification Commission – The rewritten rules submitted by the agency were approved by the Commission with the exception of .0701 which was withdrawn by the agency.

## **LOG OF FILINGS**

Chairman Powell presided over the review of the log and all rules were approved with the following exceptions:

### ***LOG #156 – RULES FILED JULY 20 – AUGUST 20, 1999***

13 NCAC 7F .0601, .0603, .0605, and .0606: DEPARTMENT OF LABOR – The Commission objected to these rules due to lack of statutory authority. Each of these rules has a stated effective date of January 1, 2001. Session law 1999-395, Section 19.1(a) prohibits the Department from using, encumbering, or committing any funds from the 1999-2000 or 2000-2001 fiscal years appropriation to implement or enforce an ergonomics standard. There is therefore no authority for these rules to become effective before July 1, 2001. Commissioner Twiddy voted not to object. Commissioner Hayman recused herself from all Department of Labor rules.

13 NCAC 7F .0602: DEPARTMENT OF LABOR – The Commission objected to this rule due to ambiguity and lack of statutory

authority for the effective date. In .0602(2) it is not clear what is meant by "awkward" objects or "extended" reaching. Commissioners Twiddy, Futch, and Smallwood voted not to object.

13 NCAC 7F .0604: DEPARTMENT OF LABOR - The Commission objected to this rule due to ambiguity and lack of statutory authority for the effective date. In .0604(b) it is not clear what is meant by "reduce...the employee's exposure," "maximum extent practicable," and "economically and technologically reasonable and feasible." Commissioner Smallwood voted not to object.

16 NCAC 6D .0503: STATE BOARD OF EDUCATION - The Commission objected to this rule due to lack of statutory authority. The provision in .0503(b)(4) authorizing the State Board of Education to allow enrollment in post secondary institutions in excess of five percent of a high school's enrollment is a waiver provision without specific guidelines as required by G.S. 150B-19(6). Commissioner Devan voted against the motion.

16 NCAC 6D .0504: STATE BOARD OF EDUCATION - The Commission objected to this rule due to ambiguity. In (b)(5) it is not clear what is meant by "upper elementary levels." Commissioner Devan voted against the motion.

21 NCAC 20 .0120: N C BOARD OF REGISTRATION FOR FORESTERS - The Commission objected to this rule due to lack of statutory authority. There is no authority cited for the Board to approve a forester practicing as a consulting forester. The only authority is for the Board to receive affidavits. There is also no authority for the Board to set additional requirements as (b) does.

24 NCAC 1H .0103: NC HOUSING FINANCE AGENCY - This rule was withdrawn by the agency.

***Log #157 - RULES FILED AUGUST 20 - SEPTEMBER 20, 1999***

15A NCAC 16A .1104: DHHS/Commission for Health Services - The Commission felt that the rule may accurately reflect the agency's requirements, but that the language could be more well written. It instructed the agency and staff to review and rewrite the rule as needed.

15A NCAC 19A .0502: DHHS/Commission for Health Services - The Commission objected to the original rule due to lack of statutory authority. There is no authority to add to the requirements listed in (c) without going through rulemaking. This is precisely what the agency wants to do, i.e. add "eligibility requirements" to the provider's agreement without rulemaking. The rewritten rule submitted by the agency was approved by the Commission.

16 NCAC 6H .0110: STATE BOARD OF EDUCATION - The Commission objected to this rule due to ambiguity. It is not clear what standards the State Board of Education will use in approving hearing officers.

25 NCAC 1B .0354: STATE PERSONNEL COMMISSION - This rule was withdrawn by the agency.

25 NCAC 1B .0437: STATE PERSONNEL COMMISSION - The Commission objected to this rule due to lack of statutory authority. The provisions in (b) and (h) allowing the Commission to extend the time limits for presentations is a waiver provision without the specific guidelines required by G.S. 150B-19(6). The provisions in (c), (d), (e), and (h), allowing the Commission to extend the time to file documents for "good cause shown" is also a waiver provision without specific guidelines.

25 NCAC 1H .0605: STATE PERSONNEL COMMISSION - The Commission objected to this rule due to ambiguity. In (d), it is not clear if the term "immediate family" includes others living in the same household or others.

25 NCAC 1H .0606: STATE PERSONNEL COMMISSION - The Commission objected to this rule due to lack of statutory authority and ambiguity. In (d), there is no authority to require agencies to develop a plan according to guidelines that have not been adopted as rules. It is also not clear what standards the Commission will use in approving the Plans. There is no authority to require agencies without approved plans to follow a process in a plan not adopted as a rule.

25 NCAC 1J .0512: STATE PERSONNEL COMMISSION - This rule was withdrawn by the agency.

**COMMISSION PROCEDURES AND OTHER MATTERS**

The election of officers was postponed until next month. The November meeting was changed due to a CLE scheduled for the regular date and the April meeting was changed due to the return of the legislature. The November meeting will be held on the 17<sup>th</sup> and the April meeting on the 13<sup>th</sup>. William Plyler stated that he had filed a motion to dismiss the lawsuit but he expected that the court would

wait to see what happens to Senate Bill 960 before making a decision. He will keep the Commissioners apprised at all times.

The next meeting will be on November 17, 1999.

The meeting adjourned at 3:13 p.m.

Respectfully submitted,  
Sandy Webster

**T**his Section contains the full text of some of the more significant Administrative Law Judge decisions along with an index to all recent contested cases decisions which are filed under North Carolina's Administrative Procedure Act. Copies of the decisions listed in the index and not published are available upon request for a minimal charge by contacting the Office of Administrative Hearings, (919) 733-2698. Also, the Contested Case Decisions are available on the Internet at the following address: <http://www.state.nc.us/OAH/hearings/decision/caseindex.htm>.

**OFFICE OF ADMINISTRATIVE HEARINGS**

*Chief Administrative Law Judge*  
JULIAN MANN, III

*Senior Administrative Law Judge*  
FRED G. MORRISON JR.

**ADMINISTRATIVE LAW JUDGES**

Sammie Chess Jr.  
Beecher R. Gray  
Melissa Owens

Meg Scott Phipps  
Robert Roosevelt Reilly Jr.  
Beryl E. Wade

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
<b>ADMINISTRATION</b>				
Britthaven, Inc. v. Department of Administration and Priva-Trends, Inc.	98 DOA 0811	Chess	06/10/99	
Laidlaw Transit Svcs, Inc. v. Katie G. Dorsett, Sec'y/Dept/Administration	99 DOA 0102	Morrison	06/11/99	14:02 NCR 115
<b>OFFICE OF ADMINISTRATIVE HEARINGS</b>				
Ted Murrell, Zarn, Inc. v. Office of Administrative Hearings	99 OAH 0665	Chess	07/14/99	
Samuel Lee Ferguson v. Office of Administrative Hearings	99 OAH 0718	Chess	07/16/99	
<b>AGRICULTURE</b>				
Archie McLean v. Department of Agriculture	98 DAG 1770	Reilly	07/12/99	14:04 NCR 349
<b>ALCOHOLIC BEVERAGE CONTROL COMMISSION</b>				
Alcoholic Beverage Control Commission v. Keyland, Inc., T/A Cloud 9	98 ABC 1099	Overby	01/17/99	
Alcoholic Beverage Control Commission v. Food Lion, Inc., Store #1351	98 ABC 1270	Gray	03/31/99	14:04 NCR 347
Alcoholic Beverage Control Commission v. Stop 1, Inc., T/A Stop 1 Grocery	98 ABC 1337	Phipps	09/29/99	
Alcoholic Beverage Control Commission v. Beech Mountain Resor, Inc.	99 ABC 0287	Reilly	08/11/99	
Alcoholic Bev. Control Comm.v. Partnership T/A Mermaid Rest & Lge.	99 ABC 0367	Chess	09/17/99	
Alcoholic Beverage Control Commission v. Jaeson Nyung Kim	99 ABC 0407	Morrison	07/09/99	
Alcoholic Beverage Control Commission v. Lillian Sarah Clary	99 ABC 0615	Phipps	09/01/99	
Alcoholic Beverage Control Commission v. Mohammad Salim Pirami	99 ABC 0780	Morrison	09/21/99	
Delores Ann Holley v. Alcoholic Beverage Control Commission	99 ABC 0876	Gray	08/10/99	
<b>CRIME CONTROL AND PUBLIC SAFETY</b>				
Ray Anthony Breeding v. Crime Control & Public Safety	93 CPS 0695	Gray	09/13/99	
John Ray Webb v. Crime Victims Compensation Commission	95 CPS 1353	Gray	09/13/99	
Paul Richard Mull v. Crime Victims Compensation Commission	98 CPS 0342	Chess	07/26/99	
Bobby Mills v. Crime Victims Compensation Commission	98 CPS 1412	Wade	08/06/99	
William Samuel McCraw v. Crime Victims Compensation Commission	98 CPS 1626	Morrison	06/09/99	
Anson D. Looney v. Crime Victims Compensation Commission	99 CPS 0096	Morrison	05/25/99	
Elvin Williams, Jr. v. Crime Victims Compensation Commission	99 CPS 0118	Owens	08/03/99	
Michael Anthony Powell v. Crime Victims Compensation Commission	99 CPS 0426	Reilly	08/03/99	
Mary Elizabeth Peoples Hogan v. Crime Victims Compensation Comm.	99 CPS 0504	Reilly	07/29/99	
Lemuel Ray Jenkins v. Crime Victims Compensation Commission	99 CPS 0521	Gray	09/08/99	
Annabell B. McCormick v. Crime Victims Compensation Commission	99 CPS 0564	Phipps	08/04/99	

# CONTESTED CASE DECISIONS

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
<b>ENVIRONMENT AND NATURAL RESOURCES</b>				
RJ Reynolds Tobacco Co. v. Dept. of Environment & Natural Resources	98 EHR 1315	Wade	06/04/99	14 02 NCR 110
Town of Maysville v. Environment and Natural Resources	99 EHR 0069	Owens	09/27/99	
Willie Setzer v. Department of Environment & Natural Resources	99 EHR 0166	Chess	06/28/99	
Charles H. Jordan v. Brunswick County Health Department	99 EHR 0201	Morrison	06/28/99	
Jerry Franks and John Schifano, et. al. v. Environment & Natural Resources and Wake County Board of Commissioners	99 EHR 0344 <sup>9</sup>	Phipps	09/28/99	
Jerry Franks and John Schifano, et. al. v. Environment & Natural Resources and Wake County Board of Commissioners	99 EHR 0380 <sup>9</sup>	Phipps	09/28/99	
James P. and Irene P. Wilson v. Cleveland Co. Health & Sanitary	99 EHR 0506	Lassiter	10/07/99	
Mazzella's Restaurant, Peter D. Mazzella v. Carteret County Env. Health	99 EHR 0692	Reilly	08/19/99	
Roadway Express v. Department of Environment and Natural Resources	99 EHR 0745	Morrison	07/27/99	
Shell Island Homeowners' Association v. DENR, Div. of Env. Health	99 EHR 0814	Owens	08/18/99	
<i>Division of Air Quality</i>				
Terrance W. Bache, Pres., Terhane Group, Inc. v. DENR, Div/Air Quality	98 EHR 1790	Mann	06/23/99	
XVIII Airborne Corps & Fort Bragg, Dept. of the Army, USA v. Environment and Natural Resources, Div. of Air Quality	99 EHR 0283	Wade	08/11/99	
J.D. Owen v. Environment and Natural Resources, Div. of Air Quality	99 EHR 0642	Mann	08/10/99	
<i>Environmental Management</i>				
Allen Raynor v. Environmental Management Commission	99 EHR 0127	Gray	07/27/99	
<i>Division of Land Resources</i>				
Buel B. Barker, Jr. and Hubbard Realty of Winston-Salem, a NC Corp., jointly and severally v. DENR, Div. of Land Resources	98 EHR 1457	Morrison	06/09/99	
T B. Powell, Inc. v. DENR, Division of Land Resources	99 EHR 0632	Wade	10/04/99	
<i>Division of Marine Fisheries</i>				
Alton Chadwick v. Division of Marine Fisheries	99 EHR 0553	Reilly	08/19/99	
<i>Division of Water Quality</i>				
York Oil Company v. DENR, Division of Water Quality	97 EHR 1026	Phipps	07/26/99	14:04 NCR 343
J. Todd Yates and Teresa B. Yates v. DENR, Div. of Water Quality	98 EHR 1456	Wade	06/22/99	
N.G. Purvis Farms, Inc. v. DENR, Division of Water Quality	99 EHR 0696	Chess	08/27/99	
<b>BOARD OF GEOLOGISTS</b>				
Andrew M. Raring, Ph.D v. Board for the Licensing of Geologists	99 BOG 0150	Mann	06/16/99	
<b>HEALTH AND HUMAN SERVICES</b>				
Eardley "JR" Stephens v. St. Bd. of Nurse's Aides and Practitioners	98 DHR 0155	Phipps	08/25/99	
Ernest Clyde Absher and Dianna B. Absher v. Health & Human Resources	98 DHR 1622	Reilly	06/17/99	
Andrew Gainey v. Office of the Chief Medical Examiner	98 DHR 1761	Owens	05/12/99	14:01 NCR 69
J.P. Lynch v. Department of Health & Human Services	99 DHR 0111	Reilly	05/25/99	
Paul Walker, Thomas Walker & Mary Walker v. Mecklenburg Area Mental Health	99 DHR 0155	Morrison	08/19/99	
New Hope Living Centers, Eric D. Lewis v. Health & Human Services	99 DHR 0170	Owens	05/25/99	
Frank McKoy v. Department of Health & Human Services	99 DHR 0226	Wade	07/06/99	
Joan Marie McDaniel v. Department of Health & Human Services	99 DHR 0305	Reilly	08/05/99	
Lonnie Herring v. Department of Health & Human Services	99 DHR 0350	Reilly	06/03/99	
Robert H. Riley v. Office of the Governor, Office of Citizen Services	99 DHR 0356	Wade	07/21/99	
Monica Denise Dayson v. Department of Health & Human Services	99 DHR 1041	Reilly	09/29/99	
<i>Division of Child Development</i>				
Shaw Speaks Child Dev. Ctr. v. Health & Human Svcs., Child Dev.	99 DHR 0042	Gray	07/22/99	
Lachelle L. Parsons v. Health & Human Svcs., Div. of Child Dev.	99 DHR 0445	Reilly	07/19/99	
In The Beginning, Inc. v. Health & Human Svcs., Div. of Child Dev.	99 DHR 0575	Mann	07/19/99	
Dulatown Outreach Center, Inc. v. Health & Human Svcs., Child Dev.	99 DHR 0688	Owens	07/21/99	
Michele Denoff v. Health & Human Services, Div. of Child Dev.	99 DHR 0695	Owens	08/05/99	
Small World Daycare II, Trena S. McDaniel v. Health & Human Svcs., Div. of Child Dev.	99 DHR 1038	Lassiter	10/06/99	
<i>Division of Facility Services</i>				
Kelly M. Poole v. Health & Human Services, Div. of Facility Services	97 DHR 0629	Chess	06/14/99	
Norma Faye Lewis v. Health & Human Svcs., Div. of Facility Services	98 DHR 1274 <sup>1</sup>	Phipps	07/02/99	

Consolidated Cases.

## CONTESTED CASE DECISIONS

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Della C. Jones v. Health & Human Services, Div. of Facility Services	98 DHR 1680	Gray	06/09/99	
Effie Ruth Smith v. Health & Human Svcs., Div. of Facility Services	98 DHR 1774	Chess	07/14/99	
Vivienne Gelora Marshall v. DHHS, Div. of Facility Services	98 DHR 1786	Phipps	09/02/99	
Doris Laverne Moser v. Health & Human Services, Div. of Facility Svcs	99 DHR 0074	Wade	08/06/99	
Norma Faye Lewis v. Health & Human Svcs., Div. of Facility Services	99 DHR 0144* <sup>1</sup>	Phipps	07/02/99	
Carolyn Grant v. Health & Human Services, Div. of Facility Services	99 DHR 0145	Mann	06/11/99	
Marion Moser Thompson v. Health & Human Svcs., Facility Services	99 DHR 0216	Gray	08/13/99	
Rose Marie Hadley v. Health & Human Svcs., Div. of Facility Services	99 DHR 0218	Wade	08/06/99	
Sarah Frances Alford v. Health & Human Svcs., Div. of Facility Svcs.	99 DHR 0220	Phipps	06/08/99	
Alvin L. Phynon Jr. v. Health & Human Svcs., Dept. of Facility	99 DHR 0230	Mann	07/07/99	
Barbara Rhue v. D.F.S.	99 DHR 0401* <sup>3</sup>	Wade	07/30/99	
Barbara Rhue v. D.F.S.	99 DHR 0414* <sup>3</sup>	Wade	07/30/99	
Esther Nieves v. Health & Human Services, Div. of Facility Services	99 DHR 0766	Phipps	07/21/99	
Shirley Ann Beck v. Division of Facility Services	99 DHR 0942	Mann	09/24/99	
<b><i>Division of Medical Assistance</i></b>				
Interim HealthCare - Morris Group, Inc., Lisa B. Morris, RN, BSN v. DHHS, Division of Medical Assistance	99 DHR 0552	Mann	09/01/99	
Companion Health Care, Inc. v. Div. of Medical Assistance, DHR	99 DHR 0762	Owens	07/29/99	
<b><i>Division of Mental Health, Developmental Disabilities and Substance Abuse Services</i></b>				
S.S. by her parents and next friends. D.S. & A.S. v. DMH/DD/SAS	99 DHR 0538	Gray	08/02/99	
<b><i>Division of Social Services</i></b>				
Robert H. Riley v. Iredell County DSS	99 DHR 0354	Wade	07/21/99	
Robert H. Riley v. Health & Human Svcs., Div. of Social Services	99 DHR 0355	Wade	07/21/99	
Joanna Price v. Caldwell County Social Services	99 DHR 0520	Morrison	06/10/99	
Veronica Owens v. Dept. of Social Services Union County	99 MIS 0677	Mann	08/17/99	
<b><i>Child Support Enforcement Section</i></b>				
Lindy Teachout v. Department of Health & Human Services	98 CRA 0727	Reilly	06/24/99	
Thomas Ashley Stewart II v. Department of Health & Human Services	99 CRA 0628	Reilly	06/14/99	
June V. Pettus v. Department of Human Resources	96 CSE 1721* <sup>b</sup>	Mann	09/17/99	
Floyd W. Hubbard v. Department of Human Resources	96 CSE 1725	Reilly	09/02/99	
Richard Arnold Collins v. Jones County DSS	96 CSE 1810	Reilly	06/28/99	
David S. Blackwelder v. Department of Human Resources	97 CSE 0416	Morrison	08/24/99	
June V. Pettus v. Department of Human Resources	97 CSE 0867* <sup>b</sup>	Mann	09/17/99	
Kenneth Wayne Adair v. Department of Human Resources	98 CSE 0229	Morrison	06/30/99	
Shawn E. Williams v. Department of Human Resources	98 CSE 0845	Phipps	09/21/99	
Huri G. Stokes v. Department of Health & Human Services	98 CSE 0898	Gray	07/23/99	
Willie D. Davis v. Department of Human Resources	98 CSE 1387	Mann	09/17/99	
G.S. Hall v. Department of Health & Human Services	98 CSE 1392	Reilly	06/24/99	
Charles Stewart v. Department of Human Resources	98 CSE 1419	Mann	09/17/99	
Kenneth A. McCrorie v. Department of Human Resources	98 CSE 1435	Gray	08/04/99	
David M. VanDyke v. Department of Human Resources	98 CSE 1549	Mann	09/17/99	
Jerome Maddox v. Department of Health & Human Services	98 CSE 1562	Mann	09/17/99	
Sam Anderson v. Department of Human Resources	98 CSE 1585	Mann	09/17/99	
Donald Edward Law II v. Department of Human Resources	98 CSE 1586	Morrison	06/25/99	
Sechia Lee Corbett v. Department of Human Resources	98 CSE 1588	Phipps	09/21/99	
Shawn E. Williams v. Department of Human Resources	98 CSE 1613	Phipps	09/21/99	
Antonio Melendez v. Department of Health & Human Services	98 CSE 1635	Chess	09/30/99	
Wilham W. Heck v. Department of Human Resources	98 CSE 1638	Mann	09/17/99	
Robert M. Chandler Jr. v. Department of Health & Human Services	98 CSE 1789	Phipps	05/27/99	
Grady L. Chosewood v. Department of Health & Human Services	99 CSE 0301	Mann	07/01/99	
Fulton Allen Tillman v. Department of Health & Human Services	99 CSE 0311	Reilly	06/30/99	
Nathaniel Alston v. Department of Health & Human Services	99 CSE 0317	Mann	07/01/99	
Bret Burtrum v. Department of Health & Human Services	99 CSE 0318	Wade	07/14/99	
Cedric A. Hurst v. Department of Human Resources	99 CSE 0330	Chess	08/10/99	
Dane Wesley Ware v. Department of Health & Human Services	99 CSE 0359	Gray	06/28/99	
Oscar William Willoughby Sr. v. Dept. of Health & Human Services	99 CSE 0371	Morrison	06/28/99	
Kelvin E. Townsend v. Department of Health & Human Services	99 CSE 0373	Phipps	07/12/99	
Billy J. Young v. Department of Health & Human Services	99 CSE 0374	Reilly	06/14/99	
Adelheide J. Cooper v. Department of Health & Human Services	99 CSE 0428	Phipps	07/19/99	
Beverly K. Thompson v. Department of Health & Human Services	99 CSE 0435	Reilly	06/14/99	
Michael L. Timmer v. Department of Health & Human Services	99 CSE 0437	Wade	06/08/99	
Elizabeth F. West v. Department of Health & Human Services	99 CSE 0451	Morrison	05/25/99	
Troy Gibson v. Department of Health & Human Services	99 CSE 0462	Owens	07/19/99	
Roy D. Washington v. Department of Health & Human Services	99 CSE 0481	Reilly	06/25/99	
Everett A. Mitchell v. Department of Health & Human Services	99 CSE 0483	Chess	10/05/99	

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Corey Antoine Johnson v. Department of Health & Human Services	99 CSE 0486	Gray	09/13/99	
Larry Lowell Dixon v. Department of Health & Human Services	99 CSE 0518	Morrison	08/24/99	
Calvin D. Alston v. Department of Health & Human Services	99 CSE 0539	Owens	08/10/99	
Marquel Simmons v. Department of Health & Human Services	99 CSE 0547	Wade	08/06/99	
Anthony Vincente Battista v. Department of Health & Human Services	99 CSE 0551	Chess	08/31/99	
Gerald Scott Saucier v. Department of Health & Human Services	99 CSE 0576	Mann	06/09/99	
Lawrence Gordon Soles v. Department of Health & Human Services	99 CSE 0581	Morrison	06/09/99	
Mohamed Moustafa v. Department of Health & Human Services	99 CSE 0582	Owens	08/05/99	
Vicky L. Day v. Department of Health & Human Services	99 CSE 0679	Gray	09/27/99	
Matthew Conklin v. Department of Health & Human Services	99 CSE 0689	Mann	09/17/99	
Charlie James White v. Department of Health & Human Services	99 CSE 0690	Morrison	07/20/99	
Bennie Lamar Knighten v. Department of Health & Human Services	99 CSE 0702	Owens	09/20/99	
Larie Bolton v. Department of Health & Human Services	99 CSE 0735	Phipps	08/06/99	
Randy Lewis Bryant v. Department of Health & Human Services	99 CSE 0737	Reilly	09/20/99	
Earl C. Jones, Sr. v. Department of Health & Human Services	99 CSE 0801	Gray	08/10/99	
Naion V. Pride v. Department of Health & Human Services	99 CSE 0825	Phipps	08/20/99	
Claude W. Jordan v. Department of Health & Human Services	99 CSE 0831	Reilly	10/11/99	
Bobby Gene Owens v. Department of Health & Human Services	99 CSE 0877	Gray	10/11/99	
Kathryn P. Fagan v. Department of Health & Human Services	98 DCS 1769	Morrison	06/25/99	
Robert Dwayne Kennedy v. Department of Health & Human Services	99 DCS 0482	Wade	09/10/99	
Deborah Seegars v. Department of Health & Human Services	99 DCS 0505	Phipps	06/30/99	
Lillian Anne Darroch v. Department of Health & Human Services	99 DCS 0555	Gray	07/06/99	
Evelyn C. Pratt v. Department of Health & Human Services	99 DCS 0813	Owens	08/25/99	
Jacqueline D. Caldwell v. Department of Health & Human Services	99 DCS 0974	Morrison	09/20/99	

**JUSTICE**

*Alarm Systems Licensing Board*

Terry Allen Brickey v. Alarm Systems Licensing Board	99 DOJ 0097	Wade	05/21/99	
Travis Eric Reardon v. Alarm Systems Licensing Board	99 DOJ 0446	Phipps	07/28/99	
Brian Anthony Bartimac v. Alarm Systems Licensing Board	99 DOJ 0487	Morrison	05/25/99	
Paul Luke Walczak v. Alarm Systems Licensing Board	99 DOJ 0489	Owens	08/03/99	
Melvin T. Lohr v. Alarm Systems Licensing Board	99 DOJ 0490	Morrison	05/24/99	
Bradford D. Penny v. Alarm Systems Licensing Board	99 DOJ 0522	Morrison	06/08/99	
Benny L. Shaw v. Alarm Systems Licensing Board	99 DOJ 0523	Morrison	06/08/99	
Tracey Larue Santana v. Alarm Systems Licensing Board	99 DOJ 0524	Phipps	09/24/99	
Donald Eugene Boger v. Alarm Systems Licensing Board	99 DOJ 0715	Owens	07/29/99	
Kajur Washburn v. Alarm Systems Licensing Board	99 DOJ 0716	Owens	07/29/99	

*Education and Training Standards Division*

Rock Steven Edwards v. Criminal Justice Ed. & Training Stds. Comm.	98 DOJ 0906	Chess	05/13/99	
Anthony Scott Hughes v. Sheriffs' Ed. & Training Standards Comm.	98 DOJ 1530	Chess	05/12/99	
Hal Pilgreen v. Criminal Justice Ed. & Training Stds. Comm.	98 DOJ 1775	Chess	06/09/99	
Emma J. Kiser v. Sheriffs' Ed. & Training Standards Comm.	98 DOJ 1793	Gray	06/07/99	
Keith Allen Norris v. Sheriffs' Ed. & Training Standards Comm.	99 DOJ 0045	Mann	07/29/99	14.04 NCR 351
Sherry Davis Kenney v. Criminal Justice Ed. & Training Stds. Comm.	99 DOJ 0067	Wade	06/08/99	
Russell Lee Yelverton v. Criminal Justice Ed. & Training Stds. Comm.	99 DOJ 0131	Phipps	08/11/99	
Mark E. Narron v. Sheriffs' Ed. & Training Stds. Commission	99 DOJ 0453	Morrison	09/08/99	14.07 NCR 568
Shean E. Taylor v. Sheriffs' Ed. & Training Stds. Commission	99 DOJ 0790	Reilly	09/29/99	
Sandra G. Armstrong v. Sheriffs' Ed. & Training Standards Comm.	99 DOJ 0844	Mann	09/24/99	
Edward L. Lusk v. Sheriffs' Ed. & Training Standards Comm.	99 DOJ 0846	Phipps	09/29/99	
Tonnette Bembury v. Sheriffs' Ed. & Training Standards Comm.	99 DOJ 0934	Reilly	09/29/99	

*Private Protective Services Board*

Tri-City Securities and James G. Hutcherson v. Private Protective Svcs. Bd	98 DOJ 1749 <sup>7</sup>	Phipps	09/02/99	
Thomas E. Mewborn v. Private Protective Services Board	98 DOJ 1752 <sup>7</sup>	Phipps	09/02/99	
Michael Lynn Arter v. Private Protective Services Board	99 DOJ 0101	Owens	07/30/99	
Jeffrey S. Moore v. Private Protective Services Board	99 DOJ 0262	Wade	05/25/99	
Bonnie Marie Keller v. Private Protective Services Board	99 DOJ 0488	Morrison	05/24/99	
Shawn E. Alexander v. Private Protective Services Board	99 DOJ 0491	Morrison	05/24/99	
Ronald E. Sulloway v. Private Protective Services Board	99 DOJ 0492	Owens	07/19/99	
Raymond Solomon v. Private Protective Services Board	99 DOJ 0493	Morrison	05/24/99	
Charles E. Evans, Jr. v. Private Protective Services Board	99 DOJ 0494	Morrison	05/25/99	
William E. Elhs, Sr. v. Private Protective Services Board	99 DOJ 0496	Morrison	05/25/99	
Bobby James Nicholson v. Private Protective Services Board	99 DOJ 0527	Morrison	06/08/99	
Thomas William Atchison v. Private Protective Services Board	99 DOJ 0528	Phipps	08/17/99	
	99 DOJ 1018	Morrison	09/21/99	

**PUBLIC INSTRUCTION**

S.H. by and through her guardian and custodian, H.H. and H.H.v	98 EDC 1124	Mann	06/11/99	
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## CONTESTED CASE DECISIONS

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Henderson County Board of Education				
Paula Morrill, individually/on behalf of John Morrill v. Wake Cty. Schools	98 EDC 1205	Gray	09/24/99	
S.L.F. and S.F.F. v. Charlotte-Mecklenburg Board of Education	98 EDC 1649	Mann	06/04/99	
Marshall Scott Brannan v. Department of Public Instruction	98 EDC 1796	Owens	07/13/99	14:07 NCR 565
Matthew Weber, and his father and next friend, Brian Weber, and Brian Weber v. Wilkes County Schools	99 EDC 0291	Mann	09/07/99	
Deborah F. Brogden v. State Board of Education	99 EDC 0734	Reilly	10/05/99	
C. Kenneth Warrington v. Edgecombe County Schools	99 EDC 0955	Reilly	09/29/99	
<b>STATE PERSONNEL</b>				
<i>Department of Agriculture</i>				
H.C. Troxler, Jr. v. Dept. of Agriculture and Consumer Services	99 OSP 0659	Chess	07/27/99	
<i>Community Colleges</i>				
Thomas Michael Chamberlin v. Department of Community Colleges	99 OSP 0286	Phipps	06/25/99	
<i>Correction</i>				
E. Wayne Irvin v. Department of Correction	94 OSP 1791	Morrison	05/18/99	
Pershield DeLoatch v. Department of Correction	98 OSP 1026	Gray	08/11/99	
Deborah Smith v. Department of Correction	98 OSP 1126	Chess	06/22/99	
Maydean L. Taylor v. Department of Correction	98 OSP 1272	Chess	05/14/99	
Ann McMillian v. Morrison Youth Institution, Department of Correction	98 OSP 1275	Chess	05/12/99	
Edward Alan Roper v. DOC, Div. of Prisons, Western Youth Institute	98 OSP 1644	Gray	08/11/99	
Shirley Sellars v. Department of Correction	98 OSP 1788 <sup>10</sup>	Gray	09/30/99	
Sean R. Dillard v. Dept. of Correction, Pasquotank Correctional Inst.	98 OSP 1800	Gray	08/26/99	
DeCarlos Stanley v. Department of Correction	99 OSP 0027	Morrison	06/22/99	
Steve A. Mathews v. Department of Correction	99 OSP 0162	Morrison	08/20/99	
Harry E. Kenan v. Capt. B.F. Lewis, Polk Youth Institution	99 OSP 0257	Phipps	06/07/99	
Robert Russell, Jr. v. Jeff Jones, Div of Community Corrections	99 OSP 0258	Lassiter	09/29/99	
Shirley Sellars v. Department of Correction	99 OSP 0386 <sup>10</sup>	Gray	09/30/99	
Richmond Fulmore v. Department of Correction, Wake Correctional	99 OSP 0416	Mann	06/04/99	
Jerry D. Crawford v. Department of Correction	99 OSP 0577	Reilly	06/02/99	
Charles Creegan v. Department of Correction	99 OSP 0765	Reilly	08/03/99	
<i>Crime Control and Public Safety</i>				
Thomas Michael Chamberlin v. DCCPS, Center for Missing Persons	99 OSP 0596* <sup>4</sup>	Gray	08/16/99	
<i>North Carolina School for the Deaf</i>				
Eric Arden Hurley v. North Carolina School for the Deaf	99 OSP 0087	Reilly	06/24/99	
<i>Employment Security Commission</i>				
Russell J. Suga v. Employment Security Commission	96 OSP 1122	Reilly	05/26/99	
<i>Health and Human Services</i>				
Debbie L. Whitley v. Wake County Department of Social Services	97 OSP 0722	Phipps	09/27/99	
Vera Crenshaw v. DHHS, Julian F. Keith Alc. & Drug Abuse Trtmt. Ctr	98 OSP 0456	Gray	08/05/99	
Ivey G. Rhodes v. Pitt County Mental Health Center	98 OSP 0924	Phipps	07/09/99	
Odessa D. Gwynn v. Caswell County Health Department	98 OSP 1299	Gray	08/25/99	
Doris Virginia Wearing v. Durham County Health Department	98 OSP 1432	Reilly	06/18/99	
Anthony Ratcliff v. Department of Health & Human Services	99 OSP 1483	Phipps	09/22/99	
Julia A. Cameron v. John Umstead Hospital, Health & Human Services	99 OSP 0053	Morrison	06/22/99	
Jeney Abrams v. Department of Health & Human Services	99 OSP 0147	Owens	08/11/99	
Carlos D. Burks, Sr. v. North Carolina Special Care Center	99 OSP 0325	Owens	08/25/99	
Bryan Benson v. Durham Cty. Area MHD/DD/SAS Program	99 OSP 0516	Gray	08/31/99	
Shirley C. Jones v. Department of Health & Human Services	99 OSP 0533	Mann	09/24/99	
Odell Hudson v. Health & Human Svcs., Dorothea Dix Hospital	99 OSP 0609	Gray	07/07/99	
Enca Joynes v. Durham County Department of Social Services	99 OSP 0671	Gray	07/13/99	
Thomas Michael Chamberlin v. Off. of Juvenile Justice, Juvenile Services Division, 14 <sup>th</sup> District Court Division	99 OSP 0673* <sup>4</sup>	Gray	08/16/99	
Cheryl Highsmith v. DHHS, Youth Svcs., New Hanover Reg. Juvenile Detention Center	99 OSP 0763	Owens	09/03/99	
<i>Johnston County</i>				
Lili Romaine Lee v. County of Johnston	99 OSP 0456	Morrison	06/02/99	
<i>Justice</i>				
Thomas Michael Chamberlin v. Justice, Justice Academy	99 OSP 0308	Phipps	06/11/99	

## CONTESTED CASE DECISIONS

***Labor***

Robert C. Adams v. Department of Labor 99 OSP 0667 Gray 07/28/99

***Department of Public Instruction***

Billy McEachern v. Schools of Robeson County 99 OSP 0189 Wade 09/04/99  
John Lee Herbin v. Smarkand Manor Training School 99 OSP 0273 Gray 08/04/99  
Linda D. Chapman v. Lenoir County Public Schools 99 OSP 0691 Reilly 08/16/99

***Transportation***

Charles W. McAdams v. Dept. of Transportation, Div/Motor Vehicles 99 OSP 0034 Mann 06/23/99  
Larry R. Lane v. Department of Transportation 99 OSP 0105 Mann 06/11/99  
Ronald Roberson v. Dept. of Transportation, Right-of-Way Branch 99 OSP 0142 Morrison 06/08/99  
Shelia Davis v. Department of Transportation 99 OSP 0156 Owens 06/23/99  
Carmahta Daniels v. Department of Transportation 99 OSP 0264 Gray 08/20/99

***University of North Carolina***

Wanda Troxler v. A & T State University and Dr. Ray J. Davis 97 OSP 0819 Phipps 08/02/99  
Vivian Smith Hammel, Ling-Chih C. Hsu and Joel A. Wilhams v. East Carolina University 97 OSP 1268\*<sup>2</sup> Phipps 07/06/99  
Vivian Smith Hammel, Ling-Chih C. Hsu and Joel A. Wilhams v. East Carolina University 97 OSP 1269\*<sup>2</sup> Phipps 07/06/99  
Vivian Smith Hammel, Ling-Chih C. Hsu and Joel A. Wilhams v. East Carolina University 97 OSP 1270\*<sup>2</sup> Phipps 07/06/99  
Jackie S. Flowers v. East Carolina University 98 OSP 1618 Reilly 06/24/99  
Rex A. Coughenour v. University of North Carolina at Chapel Hill 99 OSP 0517\*<sup>6</sup> Reilly 08/27/99  
Anna Anita Huff v. Dr. Lonnie Sharpe/Dr. Reza Salami-Coll./Engineering 99 OSP 0599 Chess 07/16/99  
Rex A. Coughenour v. University of North Carolina at Chapel Hill 99 OSP 0623\*<sup>6</sup> Reilly 08/27/99  
Thomas Michael Chamberlin v. UNC @ Chapel Hill, Dept. of University Housing, Division of Student Affairs 99 OSP 0674\*<sup>4</sup> Gray 08/16/99  
Halycon Tudie Blake v. University of North Carolina at Chapel Hill 99 OSP 0686 Gray 07/08/99  
Brigette R. Booker v. Winston-Salem State University 99 OSP 0731 Chess 09/03/99  
Rex A. Coughenour v. University of North Carolina at Chapel Hill 99 OSP 0830\*<sup>6</sup> Reilly 08/27/99  
Temperance T. Tobe v. North Carolina Central University 99 OSP 0865 Chess 08/24/99

**DEPARTMENT OF TRANSPORTATION**

Peter Kay., Stern v. Department of Transportation 99 DOT 0668 Owens 07/29/99

**UNIVERSITY OF NORTH CAROLINA**

Stephanie A. Payne v. UNC Hospitals 99 UNC 0375 Morrison 06/21/99  
Barbara A. Russell v. UNC Hospitals 99 UNC 0540 Gray 08/11/99  
Robin Perkins Stephens v. UNC Hospitals 99 UNC 0563 Owens 07/21/99  
Rita Jo Kincaid v. UNC Hospitals 99 UNC 0746\*<sup>5</sup> Reilly 08/09/99  
Rita Jo Kincaid v. UNC Hospitals 99 UNC 0747\*<sup>5</sup> Reilly 08/09/99

## CUMULATIVE INDEX

(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				

This index provides information related to notices, rules and other documents published in the Register. It includes information about rules for which Notice of Rule-Making Proceedings or Notice of Text have been published, rules submitted to the Rules Review Commission and rules codified since the last session of the General Assembly. For assistance contact the Rules Division at 919/733-2678.

**Financial Note:** S = Rule affects the expenditure or distribution of state funds. L = Rule affects the expenditure or distribution of local government funds. SE = Rule has a substantial economic impact of at least \$5,000,000 in a 12-month period. \* = Rule-making agency has determined that the rule does not impact state or local funds and does not have a substantial economic impact. See G.S. 150B-21.4.

## ACUPUNCTURE, LICENSING BOARD

Council for Women Youth & Girls

21 NCAC 01 .0101	13 .22 NCR 1820	14.03 NCR 243
<b>ADMINISTRATION</b>		
Council for Women, North Carolina		
1 NCAC 17	13 .19 NCR 1606	
Indian Affairs, Commission of		
1 NCAC 15 .0201	13 .02 NCR 175	
1 NCAC 15 .0205	13 .02 NCR 175	
1 NCAC 15 .0206	13 .02 NCR 175	
1 NCAC 15 .0212	13 .02 NCR 175	
1 NCAC 15 .0213	13 .02 NCR 175	
Non-Public Education		
1 NCAC 40 .0101	13 .05 NCR 521	Temp Expired 05/29/99
1 NCAC 40 .0102	14 .04 NCR 311	Temp Expired 05/29/99
1 NCAC 40 .0103	13 .05 NCR 521	Temp Expired 05/29/99
1 NCAC 40 .0104	14 .04 NCR 311	Temp Expired 05/29/99
1 NCAC 40 .0105	13 .05 NCR 521	Temp Expired 05/29/99
1 NCAC 40 .0106	13 .13 NCR 1057	Temp Expired 05/29/99
1 NCAC 40 .0201	14 .04 NCR 311	Temp Expired 05/29/99
1 NCAC 40 .0202	13 .05 NCR 521	Temp Expired 05/29/99
1 NCAC 40 .0203	13 .13 NCR 1057	Temp Expired 05/29/99
	14 .04 NCR 311	Temp Expired 05/29/99

**CUMULATIVE INDEX**  
 (Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
1 NCAC 40 .0204		13:05 NCR 521 13:13 NCR 1057 14:04 NCR 311			Temp Expired 05/29/99 Temp Expired 05/29/99					
<b>Purchase and Contract Division</b>										
1 NCAC 05SC	13:04 NCR 360									
1 NCAC 05D	13:04 NCR 360									
<b>State Employees Combined Campaign</b>										
1 NCAC 35 .0101	13:04 NCR 360				13:08 NCR 647	*				
1 NCAC 35 .0103	13:04 NCR 360				13:08 NCR 647	*				
1 NCAC 35 .0202	13:04 NCR 360				13:08 NCR 647	*				
1 NCAC 35 .0304	13:04 NCR 360				13:08 NCR 647	*				
1 NCAC 35 .0308	13:04 NCR 360				13:08 NCR 647	*				
<b>ADMINISTRATIVE HEARINGS, OFFICE OF</b>										
26 NCAC 01		14:08 NCR 579			N/A		Approve	10/04/99		
26 NCAC 01 .0101	N/A				N/A		Approve	10/04/99		
26 NCAC 01 .0104	N/A				N/A		Approve	10/04/99		
26 NCAC 02	14:08 NCR 579				N/A		Approve	10/04/99		
26 NCAC 02C .0303	N/A				N/A		Approve	10/04/99		
26 NCAC 03	14:08 NCR 579				N/A		Approve	10/04/99		
26 NCAC 04 .0102	N/A				N/A		Approve	10/04/99		
26 NCAC 04 .0103	N/A				N/A		Approve	10/04/99		
26 NCAC 04 .0104	N/A				N/A		Approve	10/04/99		
26 NCAC 04 .0202	N/A				N/A		Approve	10/04/99		
<b>AGRICULTURE</b>										
2 NCAC 20B .0104	13:13 NCR 1040				*		Object	07/15/99		
2 NCAC 43L .0309	13:14 NCR 1109				*		Approve	08/19/99	*	14:09 NCR 708
<b>Consumer Services</b>										
		13:18 NCR 1503			*		Object	07/15/99		
		13:20 NCR 1718			*		Approve	07/15/99	*	14:09 NCR 708

**CUMULATIVE INDEX**  
(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
2 NCAC 54 .0101	13.14 NCR 1119	13.14 NCR 1119	13.20 NCR 1718	*	Approve	07/15/99				14.06 NCR 490
2 NCAC 54 .0102	13.14 NCR 1119	13.14 NCR 1119	13.20 NCR 1718	*	Approve	07/15/99				14.06 NCR 490
2 NCAC 54 .0103	13.14 NCR 1119	13.14 NCR 1119	13.20 NCR 1718	*	Agcy Withdraw	07/15/99				
		Temp Expired 10/12/99								
2 NCAC 54 .0104	13.14 NCR 1119	13.14 NCR 1119	13.20 NCR 1718	*	Approve	07/15/99				14.06 NCR 490
2 NCAC 54 .0105	13.14 NCR 1119	13.14 NCR 1119	13.20 NCR 1718	*	Agcy Withdraw	07/15/99	*			14.06 NCR 490
		Temp Expired 10/12/99								
<b>Pesticide Board</b>										
2 NCAC 09K .0214	13.14 NCR 1109		13.20 NCR 1717	*	Approve	07/15/99	*			14.06 NCR 490
2 NCAC 09L .0502	14.01 NCR 4		14.05 NCR 374	*						
2 NCAC 09L .1201	14.01 NCR 4		14.05 NCR 374	*						
<b>Structural Pest Control Committee</b>										
2 NCAC 34 .0102	14.09 NCR 655									
2 NCAC 34 .0330	14.09 NCR 687		14.09 NCR 687							
<b>Veterinary Board</b>										
<b>Notice of Public Hearing on Proposed Temporary Rules</b>										
2 NCAC 52B .0206	14.08 NCR 582		14.08 NCR 582							
2 NCAC 52B .0207	13.23 NCR 1946		13.23 NCR 1946		14.03 NCR 128	*				
2 NCAC 52B .0302	13.23 NCR 1901				14.03 NCR 128	*				
2 NCAC 52B .0401	14.08 NCR 582		14.08 NCR 582							
2 NCAC 52B .0402	14.08 NCR 582		14.08 NCR 582							
2 NCAC 52B .0403	14.08 NCR 582		14.08 NCR 582							
2 NCAC 52B .0404	14.08 NCR 582		14.08 NCR 582							
2 NCAC 52B .0405	14.08 NCR 582		14.08 NCR 582							
2 NCAC 52B .0406	14.08 NCR 582		14.08 NCR 582							
2 NCAC 52B .0407	14.08 NCR 582		14.08 NCR 582							
2 NCAC 52B .0408	14.08 NCR 582		14.08 NCR 582							
2 NCAC 52B .0409	14.08 NCR 582		14.08 NCR 582							
2 NCAC 52B .0410	14.08 NCR 582		14.08 NCR 582							

**CUMULATIVE INDEX**  
(Updated through October 26, 1999)

Agency/Rule Citation	Role-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
<b>APPRAISAL BOARD</b>										
2 NCAC 52B .0411	14.08 NCR 582	14.08 NCR 582								
2 NCAC 52B .0412	14.08 NCR 582	14.08 NCR 582								
2 NCAC 52E .0209	13.23 NCR 1901				14.03 NCR 128					
<b>ARCHITECTURE, BOARD OF</b>										
21 NCAC 02 .0206	14.08 NCR 578									
<b>CHIROPRACTIC</b>										
21 NCAC 10 .0203		12.23 NCR 2098	13.14 NCR 1117	*						
<b>COMMERCE</b>										
4 NCAC 01E .0104	11.09 NCR 569				13.08 NCR 652	*				
4 NCAC 01I .0101	11.09 NCR 569	13.15 NCR 1224	13.08 NCR 652	*						
4 NCAC 01I .0101		Temp Expired 10/29/99	13.20 NCR 1719							
4 NCAC 01I .0102	11.09 NCR 569	14.08 NCR 585	14.08 NCR 585							
4 NCAC 01I .0102		13.15 NCR 1224	13.08 NCR 652	*						
4 NCAC 01I .0201	11.09 NCR 569	Temp Expired 10/29/99	13.20 NCR 1719	*						
4 NCAC 01I .0201		14.08 NCR 585	14.08 NCR 585							
4 NCAC 01I .0201	11.09 NCR 569	13.15 NCR 1224	13.08 NCR 652	*						
4 NCAC 01I .0201		Temp Expired 10/29/99	13.20 NCR 1719	*						
4 NCAC 01I .0202	11.09 NCR 569	14.08 NCR 585	14.08 NCR 585							
4 NCAC 01I .0202		13.15 NCR 1224	13.08 NCR 652	*						
4 NCAC 01I .0301	11.09 NCR 569	Temp Expired 10/29/99	13.20 NCR 1719	*						
4 NCAC 01I .0301		14.08 NCR 585	14.08 NCR 585							
4 NCAC 01I .0302	11.09 NCR 569	13.15 NCR 1224	13.08 NCR 652	*						
4 NCAC 01I .0302		Temp Expired 10/29/99	13.20 NCR 1719	*						
4 NCAC 01I .0302	11.09 NCR 569	14.08 NCR 585	14.08 NCR 585							
4 NCAC 01I .0303	11.09 NCR 569	13.15 NCR 1224	13.08 NCR 652	*						
4 NCAC 01I .0303		Temp Expired 10/29/99	13.20 NCR 1719	*						
4 NCAC 01I .0304	11.09 NCR 569	14.08 NCR 585	14.08 NCR 585							
4 NCAC 01I .0304		13.15 NCR 1224	13.08 NCR 652	*						
4 NCAC 01I .0304		Temp Expired 10/29/99	13.20 NCR 1719	*						
<b>4</b>										

**CUMULATIVE INDEX**  
(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
4 NCAC 011 0401	11.09 NCR 569	14.08 NCR 585	14.08 NCR 585	L/S/SE						
4 NCAC 011 0401	11.09 NCR 569	13.15 NCR 1224	13.08 NCR 652	*						
	Temp Expired 10/29/99	13.20 NCR 1719		*						
4 NCAC 011 0402	11.09 NCR 569	14.08 NCR 585	14.08 NCR 585	L/S/SE						
4 NCAC 011 0402	11.09 NCR 569	13.15 NCR 1224	13.08 NCR 652	*						
	Temp Expired 10/29/99	13.20 NCR 1719		L/S						
4 NCAC 011 0403	11.09 NCR 569	14.08 NCR 585	14.08 NCR 585	L/S/SE						
4 NCAC 011 0403	11.09 NCR 569	13.15 NCR 1224	13.08 NCR 652	*						
	Temp Expired 10/29/99	13.20 NCR 1719		L/S/SE						
4 NCAC 011 0404	11.09 NCR 569	14.08 NCR 585	14.08 NCR 585	L/S/SE						
4 NCAC 011 0404	11.09 NCR 569	13.15 NCR 1224	13.08 NCR 652	*						
	Temp Expired 10/29/99	13.20 NCR 1719		L/S/SE						
4 NCAC 011 0405	11.09 NCR 569	14.08 NCR 585	14.08 NCR 585	L/S/SE						
4 NCAC 011 0405	11.09 NCR 569	13.15 NCR 1224	13.08 NCR 652	*						
	Temp Expired 10/29/99	13.20 NCR 1719		L/S/SE						
4 NCAC 011 0501	11.09 NCR 569	14.08 NCR 585	14.08 NCR 585	L/S/SE						
4 NCAC 011 0501	11.09 NCR 569	13.15 NCR 1224	13.08 NCR 652	*						
	Temp Expired 10/29/99	13.20 NCR 1719		L/S/SE						
4 NCAC 011 0502	11.09 NCR 569	14.08 NCR 585	14.08 NCR 585	L/S/SE						
4 NCAC 011 0502	11.09 NCR 569	13.15 NCR 1224	13.08 NCR 652	*						
	Temp Expired 10/29/99	13.20 NCR 1719		L/S						
4 NCAC 011 0503	11.09 NCR 569	14.08 NCR 585	14.08 NCR 585	L/S/SE						
4 NCAC 011 0503	11.09 NCR 569	13.15 NCR 1224	13.08 NCR 652	*						
	Temp Expired 10/29/99	13.20 NCR 1719		L/S/SE						
4 NCAC 011 0601	11.09 NCR 569	14.08 NCR 585	14.08 NCR 585	L/S/SE						
4 NCAC 011 0601	11.09 NCR 569	13.15 NCR 1224	13.08 NCR 652	*						
	Temp Expired 10/29/99	13.20 NCR 1719		L/S/SE						
4 NCAC 011 0701	11.09 NCR 569	14.08 NCR 585	14.08 NCR 585	L/S/SE						
4 NCAC 011 0701	11.09 NCR 569	13.15 NCR 1224	13.08 NCR 652	*						
	Temp Expired 10/29/99	13.20 NCR 1719		L/S/SE						
4 NCAC 011 0801	11.09 NCR 569	14.08 NCR 585	14.08 NCR 585	L/S/SE						
4 NCAC 01K 0102	11.09 NCR 569	13.08 NCR 652	13.08 NCR 652	*						
		Object		Object						
4 NCAC 01K .0103	11.09 NCR 569	13.08 NCR 652	13.08 NCR 652	*						
		Approve		Approve						
4 NCAC 01K 0302	11.09 NCR 569	13.08 NCR 652	13.08 NCR 652	*						
		Approve		Approve						
4 NCAC 01K .0402	11.09 NCR 569	13.08 NCR 652	13.08 NCR 652	*						
		Approve		Approve						

13.22 NCR 1868  
13.22 NCR 1868  
13.22 NCR 1868

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**CUMULATIVE INDEX**  
 (Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
<b>Banking Commission</b>					Approve	01/21/99	*			
4 NCAC 03B .0101	N/A		N/A	N/A	Object	10/22/98				
4 NCAC 03B .0102	N/A		N/A	N/A	Approve	03/18/99				14.01 NCR 48
4 NCAC 03B .0103	N/A		N/A	N/A	Object	10/22/98				14.01 NCR 48
4 NCAC 03H .0102	N/A		N/A	N/A	Approve	03/18/99				14.01 NCR 48
4 NCAC 03L .0101	13.24 NCR 1997		14.04 NCR 274	*						
4 NCAC 03L .0102	13.24 NCR 1997		14.04 NCR 274	*						
4 NCAC 03L .0201	13.24 NCR 1997		14.04 NCR 274	*						
4 NCAC 03L .0202	13.24 NCR 1997		14.04 NCR 274	*						
4 NCAC 03L .0301	13.24 NCR 1997		14.04 NCR 274	*						
4 NCAC 03L .0302	13.24 NCR 1997		14.04 NCR 274	*						
4 NCAC 03L .0303	13.24 NCR 1997		14.04 NCR 274	*						
4 NCAC 03L .0401	13.24 NCR 1997		14.04 NCR 274	*						
4 NCAC 03L .0402	13.24 NCR 1997		14.04 NCR 274	*						
4 NCAC 03L .0403	13.24 NCR 1997		14.04 NCR 274	*						
4 NCAC 03L .0404	13.24 NCR 1997		14.04 NCR 274	*						
4 NCAC 03L .0405	13.24 NCR 1997		14.04 NCR 274	*						
4 NCAC 03L .0501	13.24 NCR 1997		14.04 NCR 274	*						
4 NCAC 03L .0502	13.24 NCR 1997		14.04 NCR 274	*						
4 NCAC 03L .0601	13.24 NCR 1997		14.04 NCR 274	*						
4 NCAC 03L .0602	13.24 NCR 1997		14.04 NCR 274	*						
4 NCAC 03L .0603	13.24 NCR 1997		14.04 NCR 274	*						
4 NCAC 03L .0604	13.24 NCR 1997		14.04 NCR 274	*						
4 NCAC 03L .0701	13.24 NCR 1997		14.04 NCR 274	*						
4 NCAC 03L .0702	13.24 NCR 1997		14.04 NCR 274	*						

**CUMULATIVE INDEX**  
 (Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status	Text differs from proposal	Effective by Governor	Approved Rule	Other
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**Cape Fear River Navigation and Pilotage Commission**

4 NCAC 15 .0119	14.03 NCR 125		14.07 NCR 522	*
4 NCAC 15 .0120	14.03 NCR 125		14.07 NCR 522	*
4 NCAC 15 .0121	14.03 NCR 125		14.07 NCR 522	*

**Industrial Commission**

**Public Notice - Hospital Fees for Workers' Compensation Cases**

**Secretary of Commerce**

4 NCAC 21 14.08 NCR 577

**COMMUNITY COLLEGES**

23 NCAC 02B .0104	13.10 NCR 804	13.22 NCR 1849	*
23 NCAC 02C .0307	13.05 NCR 524	Temp Expired 05/29/99	
23 NCAC 02C .0503	13.10 NCR 815	13.22 NCR 1849	*
23 NCAC 02C .0504	13.10 NCR 815	13.22 NCR 1849	*
23 NCAC 02C .0505	13.10 NCR 815	13.22 NCR 1849	*
23 NCAC 02D .0323	13.19 NCR 1609	14.04 NCR 304	*
23 NCAC 02D .0324	13.19 NCR 1609	14.04 NCR 304	*

**COSMETIC ART EXAMINERS**

21 NCAC 14A .0101	13.14 NCR 1114	13.14 NCR 1157	13.19 NCR 1652	*	Approve	06/17/99	*	14.05 NCR 402
21 NCAC 14A .0103	13.14 NCR 1114	13.19 NCR 1652	*	*	Approve	06/17/99	*	14.05 NCR 402
21 NCAC 14A .0104	13.14 NCR 1114							14.05 NCR 402
21 NCAC 14A .0105		13.14 NCR 1157	13.19 NCR 1652	*	Approve	06/17/99		14.05 NCR 402
21 NCAC 14C .0202	13.14 NCR 1114	13.19 NCR 1652	*	*	Approve	06/17/99	*	14.05 NCR 402
21 NCAC 14F .0101	13.14 NCR 1114	13.19 NCR 1652	*	*	Approve	06/17/99	*	14.05 NCR 402
21 NCAC 14F .0105	13.14 NCR 1114	13.19 NCR 1652	*	*	Approve	06/17/99	*	14.05 NCR 402
21 NCAC 14G .0103		13.14 NCR 1157	13.19 NCR 1652	*	Approve	06/17/99	*	14.05 NCR 402
21 NCAC 14G .0113	N/A	N/A	N/A		Approve	03/18/99		14.01 NCR 48
21 NCAC 14H .0112		13.16 NCR 1263	13.21 NCR 1794	*	Approve	07/15/99	*	14.06 NCR 490

**CUMULATIVE INDEX**  
(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRB Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
21 NCAC 14H 0118		13.16 NCR 1263	13.21 NCR 1794	*	Approve	07/15/99			14.06 NCR 490	
21 NCAC 14H 0104	13.14 NCR 1114		13.19 NCR 1652	*	Object	06/17/99			14.09 NCR 708	
21 NCAC 14H 0107	13.14 NCR 1114		13.19 NCR 1652	*	Approve	08/19/99	*			
21 NCAC 14H 0109	13.14 NCR 1114		13.19 NCR 1652	*	Object	06/17/99			14.09 NCR 708	
21 NCAC 14H 0103		13.14 NCR 1157	13.19 NCR 1652	*	Approve	08/19/99	*		14.05 NCR 402	
21 NCAC 14H 0208	13.14 NCR 1114		13.19 NCR 1652	*	Object	06/17/99			14.05 NCR 402	
21 NCAC 14H 0501	13.14 NCR 1114		13.19 NCR 1652	*	Approve	08/19/99	*		14.09 NCR 708	
21 NCAC 14K 0102		13.14 NCR 1157	13.19 NCR 1652	*	Object	06/17/99			14.09 NCR 708	
21 NCAC 14K 0107		13.14 NCR 1157	13.19 NCR 1652	*	Approve	06/17/99	*		14.05 NCR 402	
21 NCAC 14L 0101	13.14 NCR 1114		13.19 NCR 1652	*	Object	06/17/99	*		14.05 NCR 402	
21 NCAC 14L 0105	13.14 NCR 1114		13.19 NCR 1157	13.19 NCR 1652	*	Approve	08/19/99	*	14.09 NCR 708	
21 NCAC 14L 0109		13.14 NCR 1157		N/A	Approve	06/17/99			14.05 NCR 402	
21 NCAC 14L 0210	N/A			N/A	Approve	03/18/99			14.01 NCR 48	
21 NCAC 14L 0214	N/A			N/A	Approve	03/18/99			14.01 NCR 48	
21 NCAC 14L 0216		13.14 NCR 1157	13.19 NCR 1652	*	Approve	06/17/99	*		14.05 NCR 402	
21 NCAC 14L 0303	13.14 NCR 1114		13.19 NCR 1652	*	Agcy Withdraw	06/17/99				
21 NCAC 14N 0101	13.14 NCR 1114		13.19 NCR 1652	*	Approve	06/17/99	*		14.05 NCR 402	
21 NCAC 14N 0102	13.14 NCR 1114		13.19 NCR 1652	*	Approve	06/17/99	*		14.05 NCR 402	
21 NCAC 14N 0103	13.14 NCR 1114		13.19 NCR 1157	13.19 NCR 1652	*	Approve	06/17/99	*	14.05 NCR 402	
21 NCAC 14N 0104		13.14 NCR 1157	13.19 NCR 1652	*	Approve	06/17/99	*		14.05 NCR 402	
21 NCAC 14N 0105	13.14 NCR 1114		13.19 NCR 1652	*	Approve	06/17/99	*		14.05 NCR 402	
21 NCAC 14N 0108	13.14 NCR 1114		13.19 NCR 1652	*	Approve	06/17/99			14.05 NCR 402	
21 NCAC 14N 0110		13.14 NCR 1157	13.19 NCR 1652	*	Approve	06/17/99	*		14.05 NCR 402	
21 NCAC 14N 0112	13.14 NCR 1114		13.19 NCR 1652	*	Approve	06/17/99	*		14.05 NCR 402	
21 NCAC 14N 0113	13.14 NCR 1114	13.14 NCR 1157	13.19 NCR 1652	*	Object	08/19/99	*		14.09 NCR 708	

**CUMULATIVE INDEX**  
(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
21 NCAC 14N .0601		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14N .0602		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14N .0701		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14N .0702		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14O .0101		13:14 NCR 1157	13:19 NCR 1652	*	Object	06/17/99			14:09 NCR 708	
21 NCAC 14O .0102		13:14 NCR 1157	13:19 NCR 1652	*	Approve	08/19/99	*		14:05 NCR 402	
21 NCAC 14O .0103		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14O .0104		13:14 NCR 1157	13:19 NCR 1652	*	Object	06/17/99			14:05 NCR 402	
21 NCAC 14O .0105		13:14 NCR 1157	13:19 NCR 1652	*	Approve	08/19/99			14:09 NCR 708	
21 NCAC 14O .0106		Temp Expired 10/12/99							14:05 NCR 402	
21 NCAC 14O .0107		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14P .0101		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14P .0102		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14P .0103		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14P .0104		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14P .0105		13:14 NCR 1157	13:19 NCR 1652	L	Object	06/17/99			14:09 NCR 708	
21 NCAC 14P .0106		13:14 NCR 1157	13:19 NCR 1652	L	Approve	08/19/99			14:05 NCR 402	
21 NCAC 14P .0107		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14P .0108		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14P .0109		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14P .0110		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14P .0111		13:14 NCR 1157	13:19 NCR 1652	L	Object	08/19/99	*		14:09 NCR 708	
21 NCAC 14P .0112		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99			14:09 NCR 708	
21 NCAC 14P .0113		13:14 NCR 1157	13:19 NCR 1652	L	Object	06/17/99	*		14:09 NCR 708	
21 NCAC 14P .0114		13:14 NCR 1157	13:19 NCR 1652	L	Approve	08/19/99			14:09 NCR 708	

## CUMULATIVE INDEX

Updated through October 26, 19

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				

24 NCAC 14P .0115	13 14 NCR 1157	13 19 NCR 1652	L	Approve	08/19/99	*
24 NCAC 14P .0116	13 14 NCR 1157	13 19 NCR 1652	L	Approve	06/17/99	*
				Object	06/17/99	*
				Approve	08/19/99	*

CULTURAL RESOURCES

7 NCAC 04S 0101	14.05 NCR 370	14.09 NCR 657	*
7 NCAC 04S 0102	14.05 NCR 370	14.09 NCR 657	*
7 NCAC 04S 0103	14.05 NCR 370	14.09 NCR 657	*
7 NCAC 04S 0104	14.05 NCR 370	14.09 NCR 657	*
7 NCAC 04S 0105	14.05 NCR 370	14.09 NCR 657	*
7 NCAC 04S 0106	14.05 NCR 370	14.09 NCR 657	*
7 NCAC 04S 0107	14.05 NCR 370	14.09 NCR 657	*
7 NCAC 04S 0108	14.05 NCR 370	14.09 NCR 657	*
7 NCAC 04S 0109	14.05 NCR 370	14.09 NCR 657	*
7 NCAC 04S 0110	14.05 NCR 370	14.09 NCR 657	*

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21 NCAC 16G .0101	13 10 NCR 804	13,15 NCR 1218
21 NCAC 16G .0102	13 10 NCR 804	13,15 NCR 1218
21 NCAC 16G .0103	13 10 NCR 804	13,15 NCR 1218
21 NCAC 16H .0101	12,24 NCR 2203	13,15 NCR 1218
21 NCAC 16H .0102	12,24 NCR 2203	13,15 NCR 1218
21 NCAC 16H .0103	12,24 NCR 2203	13,15 NCR 1218
21 NCAC 16H .0104	12,24 NCR 2203	13,15 NCR 1218
21 NCAC 16H .0201	12,24 NCR 2203	13,15 NCR 1218
21 NCAC 16H .0202	12,24 NCR 2203	13,15 NCR 1218
21 NCAC 16H .0203	12,24 NCR 2203	13,15 NCR 1218
21 NCAC 16H .0204	12,24 NCR 2203	13,15 NCR 1218
21 NCAC 16H .0205	12,24 NCR 2203	13,15 NCR 1218

**CUMULATIVE INDEX**

(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
21 NCAC 16H .0206		12-24 NCR 2203								
21 NCAC 16I .0004		11-20 NCR 1538								
21 NCAC 16I .0005		11-20 NCR 1538								
21 NCAC 16M .0101			13-11 NCR 910	13-15 NCR 1218	*		Object	06/17/99		
21 NCAC 16M .0102		14-06 NCR 487					Approve	07/15/99		14-06 NCR 490
21 NCAC 16P .0101		13-10 NCR 804								
21 NCAC 16P .0102		13-10 NCR 804								
21 NCAC 16P .0103		13-10 NCR 804								
21 NCAC 16P .0104		13-10 NCR 804								
21 NCAC 16P .0105		13-10 NCR 804								
21 NCAC 16Q .0101		12-24 NCR 2203								
21 NCAC 16Q .0201		12-24 NCR 2203								
21 NCAC 16Q .0202		12-24 NCR 2203								
21 NCAC 16Q .0301		12-24 NCR 2203								
21 NCAC 16Q .0302		12-24 NCR 2203								
21 NCAC 16R .0002		11-20 NCR 1538								
21 NCAC 16R .0003		11-20 NCR 1538								
21 NCAC 16R .0005		11-20 NCR 1538								
21 NCAC 16S .0101		14-06 NCR 487		14-06 NCR 487						
21 NCAC 16S .0102		14-06 NCR 487		14-06 NCR 487						
21 NCAC 16S .0201		14-06 NCR 487		14-06 NCR 487						
21 NCAC 16S .0203		14-06 NCR 487		14-06 NCR 487						
21 NCAC 16S .0205		14-06 NCR 487		14-06 NCR 487						
21 NCAC 16V .0101		13-10 NCR 804								
21 NCAC 16V .0102		13-10 NCR 804								
21 NCAC 16W .0101		14-08 NCR 647								

**CUMULATIVE INDEX**  
(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
<b>ELECTRICAL CONTRACTORS, BOARD OF EXAMINERS</b>										
21 NCAC 16W 0102	14.08 NCR 647									
21 NCAC 18B 0208	N/A									
<b>EMPLOYEE ASSISTANCE PROFESSIONALS, BOARD OF</b>										
21 NCAC 11 .0101	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313		S/L		Approve	01/21/99		14.06 NCR 490
21 NCAC 11 .0102	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313		S/L		Object	06/17/99		
21 NCAC 11 .0103	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313		S/L		Approve	07/15/99		
21 NCAC 11 .0104	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313		S/L		Agcy. withdrew			
21 NCAC 11 .0105	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313		S/L		Agcy. withdrew			
21 NCAC 11 .0106	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313		S/L		Approve	01/21/99		
21 NCAC 11 .0107	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313		S/L		Approve	01/21/99		
21 NCAC 11 .0108	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313		S/L		Approve	01/21/99		
21 NCAC 11 .0109	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313		S/L		Approve	01/21/99		
21 NCAC 11 .0110	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313		S/L		Object	01/21/99		
21 NCAC 11 .0111	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313		S/L		Approve	02/18/99		
21 NCAC 11 .0112	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313		S/L		Approve	01/21/99		
<b>ENGINEERS AND SURVEYORS, BOARD OF EXAMINERS FOR</b>										
21 NCAC 56										
	14.08 NCR 579									
<b>ENVIRONMENT AND NATURAL RESOURCES</b>										
15A NCAC 01J .0101										
15A NCAC 01J .0102										
15A NCAC 01J .0202										
15A NCAC 01J .0301	14.08 NCR 644	14.08 NCR 644								
15A NCAC 01J .0303										
15A NCAC 01J .0402										
15A NCAC 01J .0502										

**CUMULATIVE INDEX**  
 (Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	RRC Status		Text differs from proposal	Approved Rule	Other
				Action	Date			

15A NCAC 01J .0504			13.18 NCR 1528	13.22 NCR 1827	*			
15A NCAC 01J .0601			13.18 NCR 1528	13.22 NCR 1827	*			
15A NCAC 01J .0604			13.18 NCR 1528	13.22 NCR 1827	*			
15A NCAC 01J .0701			13.18 NCR 1528	13.22 NCR 1827		S/L		
15A NCAC 01J .0703			13.18 NCR 1528	13.22 NCR 1827		S/L		
15A NCAC 01J .0803			13.18 NCR 1528	13.22 NCR 1827		S/L		
15A NCAC 01J .0903			13.18 NCR 1528	13.22 NCR 1827		S/L		
15A NCAC 01J .0904			13.18 NCR 1528	13.22 NCR 1827	*			
15A NCAC 01K	10.19 NCR 2506		13.18 NCR 1528	13.22 NCR 1827	*			
15A NCAC 01L .0101			13.18 NCR 1528	13.22 NCR 1827		S/L		
15A NCAC 01L .0102			13.18 NCR 1528	13.22 NCR 1827		S/L		
15A NCAC 01L .0203			13.18 NCR 1528	13.22 NCR 1827	*			
15A NCAC 01L .0301	14.08 NCR 644		14.08 NCR 644					
15A NCAC 01L .0303			13.18 NCR 1528	13.22 NCR 1827	*			
15A NCAC 01L .0501			13.18 NCR 1528	13.22 NCR 1827		S/L		
15A NCAC 01L .0503			13.18 NCR 1528	13.22 NCR 1827	*			
15A NCAC 01L .0601			13.18 NCR 1528	13.22 NCR 1827	*			
15A NCAC 01L .0604			13.18 NCR 1528	13.22 NCR 1827	*			
15A NCAC 01L .0701			13.18 NCR 1528	13.22 NCR 1827	*			
15A NCAC 01L .0801			13.18 NCR 1528	13.22 NCR 1827		S/L		
15A NCAC 01L .0902			13.18 NCR 1528	13.22 NCR 1827		S/L		
15A NCAC 01L .1003			13.18 NCR 1528	13.22 NCR 1827	*			
15A NCAC 01L .1004			13.18 NCR 1528	13.22 NCR 1827	*			
<b>Coastal Resources Commission</b>								
15A NCAC 07			11.04 NCR 183					
15A NCAC 07H .0200			13.22 NCR 1848					
15A NCAC 07H .0201			12.24 NCR 1873					
								*
								14.02 NCR 74

**CUMULATIVE INDEX**  
(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RPC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 07H .0203	12-21 NCR 1873				13-23 NCR 1937	*				14-02 NCR 74
15A NCAC 07H .0208	11 19 NCR 1408				11-27 NCR 2058	*				
15A NCAC 07H .0208	12-21 NCR 1873									
15A NCAC 07H .0209	12-21 NCR 1873				13-23 NCR 1937	S/L				14-02 NCR 74
15A NCAC 07H .0210	12-02 NCR 52									
15A NCAC 07H .0300	13-05 NCR 436									
15A NCAC 07H .0306	11-04 NCR 1833				11-11 NCR 9077	*				
15A NCAC 07H .0306	12-19 NCR 1763									
15A NCAC 07H .0309	13-05 NCR 436				13-13 NCR 1044	S	Object Approve	07/15/99 08/19/99		14-09 NCR 708
15A NCAC 07H .1100	12-21 NCR 1873				14-09 NCR 662	S/L				
15A NCAC 07H .1103	14-06 NCR 428									
15A NCAC 07H .1200	12-21 NCR 1873									
15A NCAC 07H .1203	14-06 NCR 428				14-09 NCR 662	S/L				
15A NCAC 07H .1300	14-06 NCR 428									
15A NCAC 07H .1301	12-21 NCR 1873				13-23 NCR 1937	*				
15A NCAC 07H .1303	14-06 NCR 428				14-09 NCR 662	S/L				
15A NCAC 07H .1400	12-21 NCR 1873									
15A NCAC 07H .1403	14-06 NCR 428				14-09 NCR 662	S/L				
15A NCAC 07H .1500	12-21 NCR 1873									
15A NCAC 07H .1503	14-06 NCR 428				14-09 NCR 662	S/L				
15A NCAC 07H .1600	11 15 NCR 1200									
15A NCAC 07H .1600	14-06 NCR 428									
15A NCAC 07H .1601	12-21 NCR 1873				13-23 NCR 1937	*				
15A NCAC 07H .1603	14-06 NCR 428				14-09 NCR 662	S/L				
15A NCAC 07H .1700	12-21 NCR 1873									
15A NCAC 07H .1803	14-06 NCR 428				14-09 NCR 662	S/L				
15A NCAC 07H .1805					13-16 NCR 593	*	Object	07/15/99		

**CUMULATIVE INDEX**  
 (Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 07H .1901	12-21 NCR 1873		13-23 NCR 1937	*						14-02 NCR 74
15A NCAC 07H 1903	14-06 NCR 428		14-09 NCR 662	S/L						
15A NCAC 07H .2003	14-06 NCR 428		14-09 NCR 662	S/L						
15A NCAC 07H .2100	14-06 NCR 428		13-13 NCR 1044	S	Approve	07/15/99	*			14-06 NCR 490
15A NCAC 07H 2101	13-05 NCR 436		13-13 NCR 1044	S	Approve	07/15/99	*			14-06 NCR 490
15A NCAC 07H 2102	13-05 NCR 436		13-13 NCR 1044	S	Approve	07/15/99	*			14-06 NCR 490
15A NCAC 07H .2103	14-06 NCR 428		14-09 NCR 662	S/L						
15A NCAC 07H 2105	13-05 NCR 436		13-13 NCR 1044	S	Object	07/15/99	*			14-09 NCR 708
15A NCAC 07H 2203	14-06 NCR 428		14-09 NCR 662	S/L						
15A NCAC 07H 2300	14-06 NCR 428		13-23 NCR 1937	*						14-02 NCR 74
15A NCAC 07H 2301	12-21 NCR 1873		14-09 NCR 662	S/L						
15A NCAC 07H 2303	14-06 NCR 428		13-13 NCR 1044	S	Approve	05/20/99	*			14-04 NCR 330
15A NCAC 07H 2401	13-05 NCR 436		13-13 NCR 1044	S	Approve	05/20/99	*			14-04 NCR 330
15A NCAC 07H .2402	13-05 NCR 436		13-13 NCR 1044	S	Approve	05/20/99	*			14-04 NCR 330
15A NCAC 07H 2403	13-05 NCR 436		13-13 NCR 1044	S	Approve	05/20/99	*			14-04 NCR 330
15A NCAC 07H 2404	13-05 NCR 436		13-13 NCR 1044	S	Object	06/17/99	*			14-05 NCR 402
15A NCAC 07H 2405	13-05 NCR 436		13-13 NCR 1044	S	Approve	05/20/99	*			14-04 NCR 330
15A NCAC 07H 2501	14-09 NCR 693		14-09 NCR 693							
15A NCAC 07H 2502	14-09 NCR 693		14-09 NCR 693							
15A NCAC 07H .2503	14-09 NCR 693		14-09 NCR 693							
15A NCAC 07H 2504	14-09 NCR 693		14-09 NCR 693							
15A NCAC 07H 2505	14-09 NCR 693		14-09 NCR 693							
15A NCAC 07J .0200	12-24 NCR 2202		13-07 NCR 593							
15A NCAC 07J .0204	14-06 NCR 428		14-09 NCR 662							
15A NCAC 07J .0204										

**CUMULATIVE INDEX**  
 (Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
				Action	Date				
15A NCAC 07J .0404	14:06 NCR 428			14:09 NCR 662					
15A NCAC 07J .0405	12:24 NCR 2202								
15A NCAC 07J .0405	14:06 NCR 428			14:09 NCR 662					
15A NCAC 07J .0406	14:06 NCR 428			14:09 NCR 662					
15A NCAC 07K .0203	12:21 NCR 1873			13:23 NCR 1937					
15A NCAC 07K .0203	14:06 NCR 428								
15A NCAC 07K .0208	12:21 NCR 1873								
15A NCAC 07K .0208	14:06 NCR 428								
15A NCAC 07K .0209	12:21 NCR 1873			13:23 NCR 1937					
15A NCAC 07L .0202	12:21 NCR 1874								
15A NCAC 07L .0203	12:21 NCR 1874								
15A NCAC 07L .0206	12:21 NCR 1874								
15A NCAC 07L .0302	12:21 NCR 1874								
15A NCAC 07L .0304	12:21 NCR 1874								
15A NCAC 07L .0401	12:21 NCR 1874								
15A NCAC 07M .0405	12:21 NCR 1874								
15A NCAC 07M .0300	12:24 NCR 2202								
15A NCAC 07M .0307	13:22 NCR 1818			14:09 NCR 666					
15A NCAC 07M .0401	13:04 NCR 361			13:12 NCR 976					
15A NCAC 07M .0401	14:01 NCR 44			14:01 NCR 44					
15A NCAC 07M .0402	13:04 NCR 361			13:12 NCR 976					
15A NCAC 07M .0402	14:01 NCR 44			14:01 NCR 44					
15A NCAC 07M .0403	13:04 NCR 361			13:12 NCR 976					
15A NCAC 07M .0403	14:01 NCR 44			14:01 NCR 44					
15A NCAC 02	10:24 NCR 3045			14:09 NCR 666					

Notice of Intent to Adopt Temporary Rules (Tar-Pamlico River Basin)  
**Environmental Management Commission**

14:05 NCR 369

**CUMULATIVE INDEX**  
(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
				Action	Date				
15A NCAC 02			11.04 NCR 183						
15A NCAC 02		11.19 NCR 1408							
15A NCAC 02B 0100	13.08 NCR 621								*
15A NCAC 02B 0101	11.24 NCR 1818			11.30 NCR 2303					
15A NCAC 02B 0110	13.08 NCR 621			14.06 NCR 434					*
15A NCAC 02B 0200	13.08 NCR 621								
15A NCAC 02B 0202	11.24 NCR 1818			11.30 NCR 2303					*
15A NCAC 02B 0211	13.08 NCR 621			14.06 NCR 434					*
15A NCAC 02B .0220	13.08 NCR 621			14.06 NCR 434					*
15A NCAC 02B .0223	11.02 NCR 75								
15A NCAC 02B 0223	11.03 NCR 109								
15A NCAC 02B .0223	13.08 NCR 621			14.06 NCR 434					*
15A NCAC 02B 0225	13.08 NCR 621			14.06 NCR 434					*
15A NCAC 02B 0225	13.19 NCR 1606			13.23 NCR 1929					*
15A NCAC 02B 0227	10.18 NCR 2400			11.12 NCR 973					*
15A NCAC 02B 0230	11.24 NCR 1818			11.30 NCR 2303					*
15A NCAC 02B 0231	11.02 NCR 75			11.10 NCR 824		L/SE			
15A NCAC 02B 0233	11.02 NCR 75			11.14 NCR 1136					
				11.10 NCR 824		L	Object Approve	01/15/98 02/19/98	*
				12.02 NCR 77		11.14 NCR 1136			
				12.14 NCR 1348					
				12.20 NCR 1836					
				13.24 NCR 2017		14.04 NCR 287	L/SE		
						12.06 NCR 462	S/L/SE		*
						14.09 NCR 660			
15A NCAC 02B 0241	14.03 NCR 125			13.24 NCR 2017		14.04 NCR 287			
15A NCAC 02B 0242						12.06 NCR 462			
15A NCAC 02B 0245	12.23 NCR 2088					14.09 NCR 660			
15A NCAC 02B 0246	12.23 NCR 2088								*
15A NCAC 02B 0247	12.23 NCR 2088								
						13.04 NCR 368			
						13.04 NCR 368			
						13.04 NCR 368	L/SE		

12.22 NCR 2012  
Disapproved (HB 1402)

**CUMULATIVE INDEX**  
(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Test differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 02B .0255	13.23 NCR 1901				14.03 NCR 162	SE				
15A NCAC 02B .0256	13.23 NCR 1901				14.03 NCR 162	SE				
15A NCAC 02B .0257	13.23 NCR 1901				14.03 NCR 162	SE				
15A NCAC 02B .0258	13.23 NCR 1901				14.03 NCR 162	L/SE				
15A NCAC 02B .0259	13.23 NCR 1901				14.03 NCR 162	L/SE				
15A NCAC 02B .0260	13.23 NCR 1901				14.03 NCR 162	SE				
15A NCAC 02B .0261	13.23 NCR 1901				14.03 NCR 162	SE				
15A NCAC 02B .0262	13.23 NCR 1901				14.03 NCR 162	SE				
15A NCAC 02B .0303	13.14 NCR 1111				13.20 NCR 1727	*				
15A NCAC 02B .0304	13.14 NCR 1111				13.20 NCR 1727	*				
15A NCAC 02B .0306	13.14 NCR 1111				13.20 NCR 1727	*				
15A NCAC 02B .0306	13.19 NCR 1606				13.23 NCR 1929	*				
15A NCAC 02B .0308	12.16 NCR 1489				13.20 NCR 1727	*				
15A NCAC 02B .0308	13.14 NCR 1111				13.23 NCR 1929	*				
15A NCAC 02B .0310	13.19 NCR 1606				12.01 NCR 6	*				
15A NCAC 02B .0316	11.26 NCR 1976				13.23 NCR 1929	*				
15A NCAC 02B .0317	13.19 NCR 1606									
15A NCAC 02D	13.12 NCR 943									
15A NCAC 02D .0101	12.02 NCR 52									
15A NCAC 02D .0101	12.16 NCR 1482									
15A NCAC 02D .0108	11.15 NCR 1200									
15A NCAC 02D .0307	11.15 NCR 1200									
15A NCAC 02D .0501	11.15 NCR 1200									
15A NCAC 02D .0501	11.04 NCR 183									
15A NCAC 02D .0501	13.16 NCR 1252									
15A NCAC 02D .0506	14.04 NCR 265									
15A NCAC 02D .0518	11.19 NCR 1408				14.07 NCR 524	*				

## CUMULATIVE INDEX

(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 02D .0521	11.15 NCR 1200									
15A NCAC 02D 0521	14.04 NCR 265									
15A NCAC 02D 0523	13.12 NCR 943									
15A NCAC 02D 0524	11.15 NCR 1200									
15A NCAC 02D 0524	13.08 NCR 621									
15A NCAC 02D 0525	11.15 NCR 1200									
15A NCAC 02D 0540	13.04 NCR 356									
15A NCAC 02D 0541	13.08 NCR 621									
15A NCAC 02D 0541	13.16 NCR 1252									
15A NCAC 02D 0542	13.24 NCR 1994									
15A NCAC 02D 0610	11.15 NCR 1200									
15A NCAC 02D 0611	11.15 NCR 1200									
15A NCAC 02D 0612	11.15 NCR 1200									
15A NCAC 02D 0613	11.15 NCR 1200									
15A NCAC 02D 0614	11.15 NCR 1200									
15A NCAC 02D 0615	11.15 NCR 1200									
15A NCAC 02D 0806	11.26 NCR 1976									
15A NCAC 02D 0902	11.19 NCR 1408									
15A NCAC 02D 0903	11.15 NCR 1200									
15A NCAC 02D 0909	11.19 NCR 1408									
15A NCAC 02D 0912	11.15 NCR 1200									
15A NCAC 02D 0917	11.19 NCR 1408									
15A NCAC 02D 0918	11.19 NCR 1408									
15A NCAC 02D 0919	11.19 NCR 1408									
15A NCAC 02D 0920	11.19 NCR 1408									
15A NCAC 02D 0921	11.19 NCR 1408									
15A NCAC 02D 0922	11.19 NCR 1408									

**CUMULATIVE INDEX**  
 (Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 02D .0923	11.19 NCR 1408									
15A NCAC 02D .0924	11.19 NCR 1408									
15A NCAC 02D .0926	13.16 NCR 1252									
15A NCAC 02D .0927	13.16 NCR 1252									
15A NCAC 02D .0932	13.16 NCR 1252									
15A NCAC 02D .0934	11.19 NCR 1408									
15A NCAC 02D .0948	11.19 NCR 1408									
15A NCAC 02D .0949	11.19 NCR 1408									
15A NCAC 02D .0950	11.19 NCR 1408									
15A NCAC 02D .0951	11.19 NCR 1408									
15A NCAC 02D .0952	12.16 NCR 1482									
15A NCAC 02D .0954	11.15 NCR 1200									
15A NCAC 02D .0958	11.19 NCR 1408									
15A NCAC 02D .1005	14.04 NCR 265									
15A NCAC 02D .1100	11.08 NCR 442									
15A NCAC 02D .1103	13.04 NCR 356									
15A NCAC 02D .1103	14.04 NCR 265									
15A NCAC 02D .1104	13.04 NCR 356									
15A NCAC 02D .1104	13.16 NCR 1252									
15A NCAC 02D .1105	11.15 NCR 1200									
15A NCAC 02D .1106	11.26 NCR 1976									
15A NCAC 02D .1200	14.04 NCR 265									
15A NCAC 02D .1201	13.12 NCR 943									
15A NCAC 02D .1202	13.12 NCR 943									
15A NCAC 02D .1203	13.12 NCR 943									
15A NCAC 02D .1204	13.12 NCR 943									
15A NCAC 02D .1205	13.12 NCR 943									

**CUMULATIVE INDEX**  
(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 02D.1206	13.12 NCR 943				14.03 NCR 162	*				
15A NCAC 02D.1207	13.12 NCR 943				14.03 NCR 162	*				
15A NCAC 02D.1208	13.12 NCR 943				14.03 NCR 162	*				
15A NCAC 02D.1209	13.12 NCR 943				14.03 NCR 162	*				
15A NCAC 02D.1201	13.16 NCR 1252				14.03 NCR 162	*				
15A NCAC 02D.1202	13.16 NCR 1252				14.03 NCR 162	*				
15A NCAC 02D.1203	13.16 NCR 1252				14.03 NCR 162	*				
15A NCAC 02D.1204	13.16 NCR 1252				14.03 NCR 162	*				
15A NCAC 02D.1205	13.16 NCR 1252				14.03 NCR 162	*				
15A NCAC 02D.1206	13.16 NCR 1252				14.03 NCR 162	*				
15A NCAC 02D.1207	13.16 NCR 1252				14.03 NCR 162	*				
15A NCAC 02D.1208	13.16 NCR 1252				14.03 NCR 162	*				
15A NCAC 02D.1209	13.16 NCR 1252				14.03 NCR 162	*				
15A NCAC 02D.1400	13.24 NCR 1994				14.03 NCR 162	*				
15A NCAC 02D.1404	14.15 NCR 1200				14.03 NCR 162	*				
15A NCAC 02D.1700	12.02 NCR 52				14.07 NCR 524	*				
15A NCAC 02D.1703	13.16 NCR 1252				14.07 NCR 524	*				
15A NCAC 02D.1708	13.16 NCR 1252				14.07 NCR 524	*				
15A NCAC 02D.1709	13.16 NCR 1252				14.07 NCR 524	*				
15A NCAC 02D.1801			13.18 NCR 1545		14.03 NCR 162	SE				
			13.22 NCR 1860		14.03 NCR 162	SE				
15A NCAC 02D.1802			13.18 NCR 1545		14.03 NCR 162	SE				
15A NCAC 02D.1803			13.22 NCR 1860		14.03 NCR 162	SE				
15A NCAC 02D.1804			13.18 NCR 1545		14.03 NCR 162	SE				
15A NCAC 02D.1805			13.18 NCR 1545		14.03 NCR 162	SE				
15A NCAC 02D.1903	12.16 NCR 1482				13.24 NCR 2017					
15A NCAC 02D.1903	13.12 NCR 943									

**CUMULATIVE INDEX**  
 (Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	NRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 02D 1904	12 16 NCR 1482				14 07 NCR 524					
15A NCAC 02D 2101	13 04 NCR 356				14 07 NCR 524		L			
15A NCAC 02D 2102	13 04 NCR 356				14 07 NCR 524		L			
15A NCAC 02D 2103	13 04 NCR 356				14 07 NCR 524		L			
15A NCAC 02D 2104	13 04 NCR 356				14 07 NCR 524		L			
15A NCAC 02D 2290	11 26 NCR 1976				13 24 NCR 1998		*			
15A NCAC 02E .0102	13 20 NCR 1715				13 24 NCR 1998		*			
15A NCAC 02E .0103	13 20 NCR 1715				13 24 NCR 1998		*			
15A NCAC 02E .0106	13 20 NCR 1715				13 24 NCR 1998		*			
15A NCAC 02E .0107	13 20 NCR 1715				13 24 NCR 1998		*			
15A NCAC 02E .0201	13 20 NCR 1715				13 24 NCR 1998		*			
15A NCAC 02E .0202	13 20 NCR 1715				13 24 NCR 1998		*			
15A NCAC 02E .0205	13 20 NCR 1715				13 24 NCR 1998		*			
15A NCAC 02E .0501	13 20 NCR 1715				13 24 NCR 1998		*			
15A NCAC 02E .0502	13 20 NCR 1715				13 24 NCR 1998		S/L/SE			
15A NCAC 02E .0503	13 20 NCR 1715				13 24 NCR 1998		*			
15A NCAC 02E .0504	13 20 NCR 1715				13 24 NCR 1998		*			
15A NCAC 02H 0226	12 20 NCR 1817				13 04 NCR 426		13 05 NCR 491			
15A NCAC 02H .0806	13 04 NCR 356				Temp Expired 05/11/99		14 02 NCR 80			
15A NCAC 02H .0800	13 08 NCR 621									
15A NCAC 02H .1202	11 15 NCR 1200									
15A NCAC 02H .1203	11 15 NCR 1200									
15A NCAC 02H .1204	11 15 NCR 1200									
15A NCAC 02H .1205	11 15 NCR 1200									
15A NCAC 02L 0202	13 04 NCR 356									
15A NCAC 02N	11 15 NCR 1200									
15A NCAC 02N	11 15 NCR 1204									

**CUMULATIVE INDEX**  
 (Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
				Action	Date				
15A NCAC 02P			11 15 NCR 1200						
15A NCAC 02P .0402	13.24 NCR 1994		14 07 NCR 550						
15A NCAC 02Q 0102	12 16 NCR 1482								
15A NCAC 02Q 0102	13 08 NCR 621			14 03 NCR 162		*			
15A NCAC 02Q 0102	13 12 NCR 943			14 03 NCR 162		*			
15A NCAC 02Q .0102			13 18 NCR 1545	14 03 NCR 162		*			
15A NCAC 02Q 0102	13 24 NCR 1994			14 07 NCR 524		*			
15A NCAC 02Q .0102	14 04 NCR 265			14 07 NCR 524		*			
15A NCAC 02Q 0103	13 24 NCR 1994			14 07 NCR 524		*			
15A NCAC 02Q 0109	14 04 NCR 265			14 07 NCR 524		*			
15A NCAC 02Q 0202	13 24 NCR 1994			14 07 NCR 524		*			
15A NCAC 02Q .0304	14 04 NCR 265			14 07 NCR 524		*			
15A NCAC 02Q 0305	14 04 NCR 265			14 03 NCR 162		*			
15A NCAC 02Q 0306	13 12 NCR 943								
15A NCAC 02Q 0401	14 04 NCR 265								
15A NCAC 02Q 0502	13 24 NCR 1994			14 07 NCR 524		S			
15A NCAC 02Q 0503	13 24 NCR 1994			14 07 NCR 524		*			
15A NCAC 02Q 0507	13 24 NCR 1994			14 07 NCR 524		*			
15A NCAC 02Q 0508	13 08 NCR 621			14 07 NCR 524		*			
15A NCAC 02Q 0508	14 04 NCR 265								
15A NCAC 02Q 0700	11 08 NCR 442								
15A NCAC 02Q .0702	13 12 NCR 943			13 20 NCR 1727		*			
15A NCAC 02Q 0703	13 04 NCR 356			14 03 NCR 162		*			
15A NCAC 02Q 0703	14 04 NCR 265								
15A NCAC 02Q 0711	13 04 NCR 356								
15A NCAC 02Q 0711	13 16 NCR 1252								
15A NCAC 02Q 0800	14 04 NCR 265								

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Approved

10/04/99

**CUMULATIVE INDEX**  
 (Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				

15A NCAC 02R .0204	1.2.02 NCR 52				12.14 NCR 1267		S			
15A NCAC 02R .0205	1.2.02 NCR 52				12.14 NCR 1267		S			
15A NCAC 02R .0600	1.2.02 NCR 52									
15A NCAC 02S	1.4.04 NCR 272									
<b>Health Services, Commission for</b>										
15A NCAC 13A .0101	1.4.04 NCR 265									
	1.4.05 NCR 370									
15A NCAC 13A .0102	1.4.04 NCR 265									
	1.4.05 NCR 370									
15A NCAC 13A .0103	1.4.04 NCR 265									
	1.4.05 NCR 370									
15A NCAC 13A .0104	1.4.04 NCR 265									
	1.4.05 NCR 370									
15A NCAC 13A .0105	1.4.04 NCR 265									
	1.4.05 NCR 370									
15A NCAC 13A .0106	1.4.04 NCR 265									
	1.4.05 NCR 370									
15A NCAC 13A .0108	1.4.04 NCR 265									
	1.4.05 NCR 370									
15A NCAC 13A .0110	1.4.04 NCR 265									
	1.4.05 NCR 370									
15A NCAC 13A .0112	1.4.04 NCR 265									
	1.4.05 NCR 370									
15A NCAC 13A .0113	1.4.04 NCR 265									
	1.4.05 NCR 370									
15A NCAC 13A .0118	1.4.04 NCR 265									
	1.4.05 NCR 370									
15A NCAC 13B .1627	1.1.08 NCR 442									
15A NCAC 13B .1800	1.1.08 NCR 442									
15A NCAC 13B .1800	1.1.26 NCR 1976									
15A NCAC 18A	1.1.04 NCR 183									
15A NCAC 18A .0100	1.4.09 NCR 656									
15A NCAC 18A .0300	1.4.09 NCR 656									
15A NCAC 18A .0400	1.4.09 NCR 656									
15A NCAC 18A .0432	1.2.14 NCR 1352									
15A NCAC 18A .0500	1.4.09 NCR 656									

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**CUMULATIVE INDEX**  
 (Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 18A .0600	14/09 NCR 656									
15A NCAC 18A .0700	14/09 NCR 656									
15A NCAC 18A .0800	14/09 NCR 656									
15A NCAC 18A .0900	14/09 NCR 656									
15A NCAC 18A 1000	13,16 NCR 1252									
15A NCAC 18A 1300	13,16 NCR 1252									
15A NCAC 18A .1600	13,16 NCR 1252									
15A NCAC 18A .1601	12,21 NCR 1882									
15A NCAC 18A .1611	12,21 NCR 1882									
	13,12 NCR 979									
	Temp Expired 01/26/99									
15A NCAC 18A .1700	13,16 NCR 1252									
15A NCAC 18A .1720	12,16 NCR 1482									
	12,18 NCR 1713									
	Temp Expired 12/11/98									
	12,21 NCR 1882									
	Temp Expired 01/26/99									
15A NCAC 18A 1808	13,08 NCR 621									
15A NCAC 18A 1810	12,24 NCR 2228									
	13,13 NCR 1047									
	Temp Expired 03/12/99									
	12,24 NCR 2228									
	13,20 NCR 1740									
	13,13 NCR 1047									
15A NCAC 18A .1812	13,08 NCR 621									
15A NCAC 18A 1938	N/A									
15A NCAC 18A 1952	13,12 NCR 979									
	14,03 NCR 234									
15A NCAC 18A .1953	13,12 NCR 979									
15A NCAC 18A 1954	14,03 NCR 234									
15A NCAC 18A .1955	13,12 NCR 979									
15A NCAC 18A .1956	N/A									
15A NCAC 18A .2400	13,16 NCR 1252									
15A NCAC 18A 2515	14,04 NCR 265									
15A NCAC 18A 2515	14,06 NCR 428									
15A NCAC 18A 2600	12,04 NCR 240									
15A NCAC 18A 2618	N/A									
	N/A									
	Approve									
	08/19/99									
	14,09 NCR 708									

**CUMULATIVE INDEX**  
 (Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 18A .2805		12.16 NCR 1482								
15A NCAC 18A .2806		12.16 NCR 1482								
15A NCAC 18A .2807		12.16 NCR 1482								
15A NCAC 18A .2809		12.16 NCR 1482								
15A NCAC 18A .2811		12.16 NCR 1482								
15A NCAC 18A .2814		12.16 NCR 1482								
15A NCAC 18A .2816		12.16 NCR 1482								
15A NCAC 18A .2818		12.16 NCR 1482								
15A NCAC 18A .2821		12.16 NCR 1482								
15A NCAC 18A .2826		12.16 NCR 1482								
15A NCAC 18A .2835		12.16 NCR 1482								
15A NCAC 18A .2836		12.16 NCR 1482								
15A NCAC 18C .0301	13.04 NCR 356		14.03 NCR 247		14.03 NCR 247					S/L
15A NCAC 18C .0302	13.04 NCR 356		14.03 NCR 247		14.03 NCR 247					S/L
15A NCAC 18C .0303	13.04 NCR 356		14.03 NCR 247		14.03 NCR 247					S/L
15A NCAC 18C .0304	13.04 NCR 356		14.03 NCR 247		14.03 NCR 247					S/L
15A NCAC 18C .0305	13.04 NCR 356		14.03 NCR 247		14.03 NCR 247					S/L
15A NCAC 18C .0306	13.04 NCR 356		14.03 NCR 247		14.03 NCR 247					*
15A NCAC 18C .0307	13.04 NCR 356		14.03 NCR 247		14.03 NCR 247					S/L
15A NCAC 18C .0308	13.04 NCR 356		14.03 NCR 247		14.03 NCR 247					S/L
15A NCAC 18C .0309	13.04 NCR 356		14.03 NCR 247		14.03 NCR 247					S/L
15A NCAC 18C 1304	13.04 NCR 356		14.03 NCR 247		14.03 NCR 247					*
15A NCAC 18C 1538	14.05 NCR 370									
15A NCAC 18C .2007		14.05 NCR 370								
15A NCAC 18C .2008		14.05 NCR 370								
15A NCAC 18D .0201	13.23 NCR 1928									
15A NCAC 18D .0203	13.23 NCR 1928									

## CUMULATIVE INDEX

(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				

15A NCAC 18D.0205 13.23 NCR 1928  
 15A NCAC 18D.0206 13.23 NCR 1928  
 15A NCAC 18D.0304 13.23 NCR 1928  
 15A NCAC 18D.0305 13.23 NCR 1928  
 15A NCAC 18D.0307 13.23 NCR 1928  
 15A NCAC 18D.0308 13.23 NCR 1928  
 15A NCAC 18D.0309 13.23 NCR 1928  
 15A NCAC 18D.0403 13.23 NCR 1928  
 15A NCAC 18D.0701 13.23 NCR 1928  
 15A NCAC 26C.0001 11.19 NCR 1408  
 15A NCAC 26C.0002 11.19 NCR 1408  
 15A NCAC 26C.0003 11.19 NCR 1408  
 15A NCAC 26C.0004 11.19 NCR 1408  
 15A NCAC 26C.0005 11.19 NCR 1408  
 15A NCAC 26C.0006 11.19 NCR 1408  
 15A NCAC 26C.0007 11.19 NCR 1408

### **Land Resources/Land Quality/Sedimentation Control Commission**

15A NCAC 04B.0106 12.20 NCAC 1817 \* Approve 08/19/99 \*  
 15A NCAC 04B.0107 12.20 NCAC 1817 \* Approve 08/19/99 \*  
 15A NCAC 04B.0126 14.07 NCR 520  
 15A NCAC 04B.0127 12.20 NCAC 1817 \* Approve 08/19/99 \*  
 15A NCAC 04C.0107 13.12 NCR 943 \* Approve 10/04/99

### **Marine Fisheries Commission**

15A NCAC 03 11.11 NCR 881  
 15A NCAC 03 11.20 NCR 1537  
 15A NCAC 03 11.26 NCR 1985  
 15A NCAC 03 13.14 NCR 1113

**CUMULATIVE INDEX**  
(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Approved Rule	Other
					Action	Date			
15A NCAC 03		13:17 NCR 1,377							
15A NCAC 03H .0101	13:14 NCR 1113	14:01 NCR 18			14:06 NCR 443		*		
15A NCAC 03H 0103	12:23 NCR 2089								
15A NCAC 03I .0101	13:14 NCR 1113	14:01 NCR 18			14:06 NCR 443		*		
15A NCAC 03I .0105	13:14 NCR 1113	14:01 NCR 18			14:06 NCR 443		*		
15A NCAC 03I 0106	13:14 NCR 1113	14:01 NCR 18			14:06 NCR 443		*		
15A NCAC 03I 0107	N/A								14:05 NCR 402
15A NCAC 03I 0114	13:14 NCR 1113	14:01 NCR 18			14:06 NCR 443		*		
15A NCAC 03I 0120	13:14 NCR 1113	14:01 NCR 18			14:06 NCR 443		*		
15A NCAC 03J .0103					13:08 NCR 739				
15A NCAC 03J 0103	13:14 NCR 1113	14:01 NCR 18			14:06 NCR 443		*		
15A NCAC 03J 0103	14:09 NCR 688	14:09 NCR 688			14:06 NCR 443		*		
15A NCAC 03J 0104	13:14 NCR 1113	14:01 NCR 18			14:06 NCR 443		*		
15A NCAC 03J 0110	13:14 NCR 1113	14:01 NCR 18			14:06 NCR 443		*		
15A NCAC 03J 0202	11:07 NCR 407				11:11 NCR 888		*		
15A NCAC 03J .0301	13:14 NCR 1113	14:01 NCR 18			14:06 NCR 443		*		
15A NCAC 03J 0302	13:14 NCR 1113	14:01 NCR 18			14:06 NCR 443		*		
15A NCAC 03J 0305	13:14 NCR 1113	14:01 NCR 18			14:06 NCR 443		*		
15A NCAC 03J .0402	14:09 NCR 655								
15A NCAC 03K .0101	13:14 NCR 1113	14:01 NCR 18			14:06 NCR 443		*		
15A NCAC 03K .0105	13:14 NCR 1113	14:01 NCR 18			14:06 NCR 443		*		
15A NCAC 03K .0106	13:14 NCR 1113	14:01 NCR 18			14:06 NCR 443		*		
15A NCAC 03K .0202	13:14 NCR 1113	14:01 NCR 18			14:06 NCR 443		*		
15A NCAC 03K .0502	13:14 NCR 1113	14:01 NCR 18			14:06 NCR 443		*		
15A NCAC 03L .0102	14:07 NCR 407				11:11 NCR 888		*		
15A NCAC 03L .0201	13:14 NCR 1113	14:01 NCR 18			14:06 NCR 443		*		
15A NCAC 03L .0205	14:09 NCR 688	14:09 NCR 688							

**CUMULATIVE INDEX**  
(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Role	Notice of Text	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
				Action	Date				
15A NCAC 03M .0206	13.14 NCR 1113	14.01 NCR 18	14.06 NCR 443	*					
15A NCAC 03M .0202	13.14 NCR 1113	14.01 NCR 18	14.06 NCR 443	*					
15A NCAC 03M .0301	13.14 NCR 1113	14.01 NCR 18	14.06 NCR 443	*					
15A NCAC 03M .0501		13.08 NCR 739							
15A NCAC 03M .0503	13.14 NCR 1113	14.01 NCR 18	14.06 NCR 443	*					
15A NCAC 03M .0504	13.14 NCR 1113	14.01 NCR 18	14.06 NCR 443	*					
15A NCAC 03M .0506		13.22 NCR 1865							
15A NCAC 03M .0507	13.10 NCR 803								
15A NCAC 03M .0507	13.14 NCR 1113	14.01 NCR 18	14.06 NCR 443	*					
15A NCAC 03M .0511	13.14 NCR 1113	14.01 NCR 18	14.06 NCR 443	*					
15A NCAC 03M .0513	11.26 NCR 1976					12.05 NCR 418			
15A NCAC 03M .0513	13.14 NCR 1113	14.01 NCR 18							
15A NCAC 03M .0513	13.19 NCR 1666	13.19 NCR 1666							
15A NCAC 03M .0515	12.23 NCR 2089					13.03 NCR 303			
15A NCAC 03M .0515	13.14 NCR 1113	14.01 NCR 18	14.06 NCR 443	*					
15A NCAC 03M .0516	13.14 NCR 1113	14.01 NCR 18	14.06 NCR 443	*					
15A NCAC 03O .0101	13.14 NCR 1113	14.01 NCR 18	14.06 NCR 443	*					
15A NCAC 03O .0101	14.09 NCR 688	14.09 NCR 688							
15A NCAC 03O .0102	13.14 NCR 1113	14.01 NCR 18	14.06 NCR 443	*					
15A NCAC 03O .0103	13.14 NCR 1113	14.01 NCR 18	14.06 NCR 443	*					
15A NCAC 03O .0104	13.14 NCR 1113	14.01 NCR 18	14.06 NCR 443	*					
15A NCAC 03O .0105	13.14 NCR 1113	14.01 NCR 18	14.06 NCR 443	*					
15A NCAC 03O .0106	13.14 NCR 1113	14.01 NCR 18	14.06 NCR 443	*					
15A NCAC 03O .0107	13.14 NCR 1113	14.01 NCR 18	14.06 NCR 443	*					
15A NCAC 03O .0108	13.14 NCR 1113	14.01 NCR 18							
		14.04 NCR 323							
			14.06 NCR 443	*					

**CUMULATIVE INDEX**  
(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 030 .0109	13.14 NCR 1113	14.01 NCR 18	14.06 NCR 443	*						
15A NCAC 030 .0109	14.09 NCR 688	14.09 NCR 688								
15A NCAC 030 .0110	13.14 NCR 1113	14.01 NCR 18	14.06 NCR 443	*						
15A NCAC 030 .0111	13.14 NCR 1113	14.01 NCR 18	14.06 NCR 443	*						
15A NCAC 030 .0201	13.14 NCR 1113	14.01 NCR 18	14.06 NCR 443	*						
15A NCAC 030 .0301	13.14 NCR 1113	14.01 NCR 18	14.06 NCR 443	*						
15A NCAC 030 .0302	13.14 NCR 1113	14.01 NCR 18	14.04 NCR 323	14.06 NCR 443	*					
15A NCAC 030 .0303	13.14 NCR 1113	14.01 NCR 18	14.06 NCR 443	*						
15A NCAC 030 .0304	13.14 NCR 1113	14.01 NCR 18	14.06 NCR 443	*						
15A NCAC 030 .0305	13.14 NCR 1113	14.01 NCR 18	14.06 NCR 443	*						
15A NCAC 030 .0306	13.14 NCR 1113	14.01 NCR 18	14.06 NCR 443	*						
15A NCAC 030 .0307	13.14 NCR 1113	14.01 NCR 18	14.06 NCR 443	*						
15A NCAC 030 .0308	13.14 NCR 1113	14.01 NCR 18	14.06 NCR 443	*						
15A NCAC 030 .0309	13.14 NCR 1113	14.01 NCR 18	14.06 NCR 443	*						
15A NCAC 030 .0310	13.14 NCR 1113	14.01 NCR 18	14.06 NCR 443	*						
15A NCAC 030 .0401	13.14 NCR 1113	13.18 NCR 1553	14.06 NCR 443	*						
15A NCAC 030 .0402	13.14 NCR 1113	13.18 NCR 1553	14.06 NCR 443	*						
15A NCAC 030 .0403	13.14 NCR 1113	13.18 NCR 1553	14.06 NCR 443	*						
15A NCAC 030 .0404	13.14 NCR 1113	13.18 NCR 1553	14.06 NCR 443	*						
15A NCAC 030 .0405	13.14 NCR 1113	13.18 NCR 1553	14.06 NCR 443	*						
15A NCAC 030 .0406	13.14 NCR 1113	13.18 NCR 1553	14.06 NCR 443	*						
15A NCAC 03P .0101	N/A		N/A	Approve	07/15/99					
15A NCAC 03P .0102	N/A		N/A	Approve	07/15/99					
15A NCAC 03Q .0106	N/A		N/A	Approve	06/17/99					
15A NCAC 03Q .0107	11.26 NCR 1985		13.13 NCR 1043	*	Approve	05/20/99				
<b>Parks and Recreation Commission</b>										
15A NCAC 12A .0001										
12.13 NCR 1097										

## CUMULATIVE INDEX

(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	RRC Status		Text differs from proposal	Approved Rule	Other
				Action	Date			

15A NCAC 12A .0004	12.13 NCR 1097							
15A NCAC 12A .0005	12.13 NCR 1097							
15A NCAC 12B .0101	12.13 NCR 1097							
15A NCAC 12B .0104	12.13 NCR 1097							
15A NCAC 12B .0106	12.13 NCR 1097							
15A NCAC 12B .0203	12.13 NCR 1097							
15A NCAC 12B .0401	12.13 NCR 1097							
15A NCAC 12B .0402	12.13 NCR 1097							
15A NCAC 12B .0501	12.13 NCR 1097							
15A NCAC 12B .0602	12.13 NCR 1097							
15A NCAC 12B .0701	12.13 NCR 1097							
15A NCAC 12B .0702	12.13 NCR 1097							
15A NCAC 12B .0802	12.13 NCR 1097							
15A NCAC 12B .1001	12.13 NCR 1097							
15A NCAC 12B .1004	12.13 NCR 1097							
15A NCAC 12B .1102	12.13 NCR 1097							
15A NCAC 12B .1201	12.13 NCR 1097							

### Water Pollution Control System Operators Certification Commission

15A NCAC 08E	11.26 NCR 1976							
15A NCAC 08F	11.26 NCR 1976							
15A NCAC 08F .0406	13.16 NCR 1252							
15A NCAC 08F .0407	13.16 NCR 1252							

### Waste Management

Public Notice - Seaboard Chemical Corporation								
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### Well Contractors Certification Commission

15A NCAC 27 .0101	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Object	08/19/99		
15A NCAC 27 .0110	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Approve	10/04/99	*	

08/19/99  
10/04/99  
08/19/99

11.09 NCR 708

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**CUMULATIVE INDEX**  
 (Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 27.0201	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Object	08/19/99				*
15A NCAC 27.0301	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Approve	10/04/99				*
15A NCAC 27.0401	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Object	08/19/99				*
15A NCAC 27.0410	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Approve	10/04/99				*
15A NCAC 27.0420	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Object	08/19/99				*
15A NCAC 27.0430	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Approve	10/04/99				*
15A NCAC 27.0440	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Object	08/19/99				*
15A NCAC 27.0501	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Approve	10/04/99				*
15A NCAC 27.0510	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Approve	08/19/99				*
15A NCAC 27.0520	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Approve	08/19/99				*
15A NCAC 27.0601	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Approve	08/19/99				*
15A NCAC 27.0701	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Object	08/19/99				*
		Temp Expired 09/30/99				09/30/99				
15A NCAC 27.0801	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Approve	08/19/99				*
15A NCAC 27.0810	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Object	08/19/99				*
15A NCAC 27.0820	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Approve	10/04/99				*
15A NCAC 27.0830	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Approve	08/19/99				*
15A NCAC 27.0840	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Object	08/19/99				*
15A NCAC 27.0901	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Approve	08/19/99				*
15A NCAC 27.0910	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Approve	08/19/99				*
15A NCAC 27.0920	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Approve	08/19/99				*
15A NCAC 27.0930	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Approve	08/19/99				*
<b>Wildlife Resources Commission</b>										
15A NCAC 10B.0100	14.08 NCR 577				Object	04/15/99				*
15A NCAC 10B.0105	13.07 NCR 595	13.07 NCR 595	13.12 NCR 948	*	Approve	05/20/99				*

14.04 NCR 330

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**CUMULATIVE INDEX**  
(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 10B .0109	N/A				N/A		Approve	06/17/99		14:05 NCR 402
15A NCAC 10B .0113	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*			14:02 NCR 84
15A NCAC 10B .0115	13:18 NCR 1502		13:22 NCR 1842	*						
15A NCAC 10B .0200	14:08 NCR 577									
15A NCAC 10B .0202	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*			14:02 NCR 84
15A NCAC 10B .0203	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*			14:02 NCR 84
15A NCAC 10B .0204	N/A			N/A	Approve	06/17/99				14:05 NCR 402
15A NCAC 10B .0205	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*			14:02 NCR 84
15A NCAC 10B .0209	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*			14:02 NCR 84
15A NCAC 10B .0212	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Object	04/15/99				14:04 NCR 330
15A NCAC 10B .0302	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	05/20/99	*			14:02 NCR 84
15A NCAC 10B .0403	13:23 NCR 1928				Approve	04/15/99				
15A NCAC 10C .0107	13:08 NCR 625									
15A NCAC 10C .0107	14:09 NCR 655									
15A NCAC 10C .0200	14:08 NCR 577									
15A NCAC 10C .0205	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99				14:02 NCR 84
15A NCAC 10C .0300	14:08 NCR 577									
15A NCAC 10C .0305	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*			14:02 NCR 84
15A NCAC 10C .0400	14:08 NCR 577									
15A NCAC 10C .0401	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99				14:02 NCR 84
15A NCAC 10C .0500	14:08 NCR 577									
15A NCAC 10C .0501	13:14 NCR 1113									14:09 NCR 708
15A NCAC 10C .0502	13:14 NCR 1113									14:09 NCR 708
15A NCAC 10C .0503	13:14 NCR 1113									14:09 NCR 708
15A NCAC 10D .0100	14:08 NCR 577									
15A NCAC 10D .0102	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*			14:02 NCR 84
15A NCAC 10D .0102	13:19 NCR 1609									

**CUMULATIVE INDEX**  
(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 10D.0103	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*			14:02 NCR 84
15A NCAC 10D.0103	13:19 NCR 1609	14:07 NCR 551	14:01 NCR 6	*						
15A NCAC 10F.0201	N/A		N/A	N/A	Approve	03/18/99				14:01 NCR 48
15A NCAC 10F.0202	N/A		N/A	N/A	Approve	10/04/99				
15A NCAC 10F.0300	13:14 NCR 1113									
15A NCAC 10F.0300	14:01 NCR 5									
15A NCAC 10F.0303	12:19 NCR 1763									
15A NCAC 10F.0303	14:02 NCR 79									
15A NCAC 10F.0310	13:07 NCR 595	13:15 NCR 1231	13:11 NCR 905	L	Approve	02/18/99	*			13:24 NCR 2037
15A NCAC 10F.0317	13:08 NCR 625		13:14 NCR 1116	*	Approve	04/15/99				14:02 NCR 84
15A NCAC 10F.0321	13:13 NCR 1040	13:19 NCR 1666	13:19 NCR 1666	L	Approve	08/19/99				14:09 NCR 708
15A NCAC 10F.0323	13:13 NCR 1040	13:19 NCR 1666	13:19 NCR 1666	L	Approve	08/19/99				14:09 NCR 708
15A NCAC 10F.0327	14:08 NCR 577									
15A NCAC 10F.0330	13:03 NCR 269	13:07 NCR 595	13:07 NCR 595	S/L	Approve	04/15/99				14:02 NCR 84
15A NCAC 10F.0330	13:11 NCR 855	13:15 NCR 1217	13:15 NCR 1231	L	Approve	04/15/99				14:02 NCR 84
15A NCAC 10F.0332	14:08 NCR 577									
15A NCAC 10F.0333	14:02 NCR 79	14:08 NCR 580	L							
15A NCAC 10F.0336	14:08 NCR 577									
15A NCAC 10F.0339	13:13 NCR 1040	13:19 NCR 1666	13:19 NCR 1666	L	Approve	08/19/99				14:09 NCR 708
15A NCAC 10F.0339	13:23 NCR 1928		14:08 NCR 580	L	Approve	02/18/99	*			13:24 NCR 2037
15A NCAC 10F.0342	13:07 NCR 585	13:15 NCR 1231	13:11 NCR 905	L	Approve	02/18/99				
15A NCAC 10F.0353	14:02 NCR 79									
15A NCAC 10F.0354	14:02 NCR 79									
15A NCAC 10F.0355	14:04 NCR 272		14:08 NCR 580	L						
15A NCAC 10F.0359	12:19 NCR 1763									
15A NCAC 10F.0367	13:14 NCR 1113	13:19 NCR 1666	13:19 NCR 1666	L	Approve	08/19/99				14:09 NCR 708

## CUMULATIVE INDEX

(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status	Text differs from proposal	Approved Rule	Other
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Voting Rights Act

Voting Rights Act

Voting Rights Act

Voting Rights Act

### FORESTERS, BOARD OF REGISTRATION FOR

21 NCAC 20 0101	13.19 NCR 1695	13.23 NCR 1942	*	Approve	10/04/99			
21 NCAC 20 0103	13.19 NCR 1695	13.23 NCR 1942	*	Approve	10/04/99	*		
21 NCAC 20 0104	13.19 NCR 1695	13.23 NCR 1942	*	Approve	10/04/99	*		
21 NCAC 20 0105	13.19 NCR 1695	13.23 NCR 1942	*	Approve	10/04/99	*		
21 NCAC 20 0106	13.19 NCR 1695	13.23 NCR 1942	*	Approve	10/04/99	*		
21 NCAC 20 0117	13.19 NCR 1695	13.23 NCR 1942	*	Approve	10/04/99	*		
21 NCAC 20 0120	13.19 NCR 1695	13.23 NCR 1942	*	<b>Object</b>	<b>10/04/99</b>			
21 NCAC 20 0122	13.19 NCR 1695	13.23 NCR 1942	*	Approve	10/04/99	*		
21 NCAC 20 0123	13.19 NCR 1695	13.23 NCR 1942	*	Approve	10/04/99	*		

### GENERAL CONTRACTORS LICENSING BOARD

21 NCAC 12 0202	13.22 NCR 1821	14.06 NCR 474	*					
21 NCAC 12 0204	13.22 NCR 1821	13.13 NCR 1048	*	Approve	05/20/99			
21 NCAC 12 0204	13.22 NCR 1821	14.06 NCR 474	*					
21 NCAC 12 0205	13.22 NCR 1821	14.06 NCR 474	*					
21 NCAC 12 0209	13.22 NCR 1821	14.06 NCR 474	*					
21 NCAC 12 0307	13.22 NCR 1821	14.06 NCR 474	*					
21 NCAC 12 0402	13.22 NCR 1821	14.06 NCR 474	*					
21 NCAC 12 0405	13.22 NCR 1821	14.06 NCR 474	*					
21 NCAC 12 0410	13.22 NCR 1821	14.06 NCR 474	*					
21 NCAC 12 0503	11.28 NCR 2117							
21 NCAC 12 0504	11.28 NCR 2117							
21 NCAC 12 0504	13.13 NCR 1040							
		13.18 NCR 1524						

14.02 NCR 75  
14.03 NCR 123  
14.04 NCR 263  
14.08 NCR 576

**CUMULATIVE INDEX**  
(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	NCR Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
21 NCAC 12 .0901	13:22 NCR 1821				13:24 NCR 2015	*				
21 NCAC 12 .0902	1:28 NCR 2117				14:06 NCR 474	*				
21 NCAC 12 .0905	11:28 NCR 2117									
21 NCAC 12 .0906	11:28 NCR 2117									
21 NCAC 12 .0907	11:28 NCR 2117									
21 NCAC 12 .0907	13:22 NCR 1821				14:06 NCR 474	*				
21 NCAC 12 .0908	11:28 NCR 2117									
21 NCAC 12 .0909	11:28 NCR 2117									
21 NCAC 12 .0910	11:28 NCR 2117									
21 NCAC 12 .0911	11:28 NCR 2117									
21 NCAC 12 .0912	11:28 NCR 2117									

**GEOLOGISTS, BOARD FOR LICENSING OF**

21 NCAC 21 .0501	14:05 NCR 372		
21 NCAC 21 .0514	14:05 NCR 372		
21 NCAC 21 .0515	14:05 NCR 372		
21 NCAC 21 .1101	14:05 NCR 372		
21 NCAC 21 .1102	14:05 NCR 372		

**GOVERNOR'S EXECUTIVE ORDERS**

Number 152 - Eff 05/21/99	14:01 NCR 1
Number 153 - Eff. 05/28/99	14:02 NCR 72
Number 154 - Eff 07/14/99	14:06 NCR 426
Number 155 - Eff 07/20/99	14:07 NCR 510
Number 156 - Eff. 07/20/99	14:07 NCR 510
Number 157 - Eff 08/13/99	14:07 NCR 510
Number 158 - Eff 08/30/99	14:07 NCR 510
Number 159 - Eff 09/15/99	14:08 NCR 574

**CUMULATIVE INDEX**  
(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Role	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Role	Other
					Action	Date				
Number 160 - Eff. 09/16/99										
9 NCAC 05G .0101					14.03 NCR 245					14.08 NCR 574
9 NCAC 05G .0102					14.03 NCR 245					14.08 NCR 574
9 NCAC 05G .0103					14.03 NCR 245					
9 NCAC 05G .0104					14.03 NCR 245					
<b>HEALTH AND HUMAN SERVICES</b>										
<b>Ageing</b>										
10 NCAC 22					10.23 NCR 2956					
<b>Bind/State Rehabilitation Council, Commission for the</b>										
10 NCAC 19G .0823					13.17 NCR 1378	13.21 NCR 1785	*			
10 NCAC 19G .0827					13.17 NCR 1378	13.21 NCR 1785	*			
<b>Child Day Care Commission</b>										
10 NCAC 03U .0102					12.21 NCR 1873	14.03 NCR 154	*			
10 NCAC 03U .0705					11.14 NCR 1108	11.27 NCR 2054	*			
10 NCAC 03U .2000					12.21 NCR 1873	14.03 NCR 154	*			
10 NCAC 03U .2501					12.21 NCR 1873	14.03 NCR 154	*			
10 NCAC 03U .2502					12.21 NCR 1873	14.03 NCR 154	*			
10 NCAC 03U .2510					12.21 NCR 1873	14.03 NCR 154	L			
10 NCAC 03U .2804					12.21 NCR 1873	14.03 NCR 154	*			
10 NCAC 03U .2811					12.21 NCR 1873	14.03 NCR 154	S			
<b>Controller, Office of</b>										
10 NCAC 01B 0418					13.14 NCR 1109	13.22 NCR 1823	*	Approve	07/15/99	*
10 NCAC 01B 0419					13.14 NCR 1109	13.22 NCR 1823	*	Approve	07/15/99	*
10 NCAC 01B 0420					13.14 NCR 1109	13.22 NCR 1823	*	Approve	07/15/99	*
10 NCAC 01B 0501					14.07 NCR 518	14.08 NCR 594				

**CUMULATIVE INDEX**  
(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other								
					Action	Date												
<b>Facility Services</b>																		
<b>Abbreviated Notice of Temporary Rule-Making</b>																		
10 NCAC 01B .0502	14-07 NCR 518		14-08 NCR 594		13-14 NCR 1119	14-04 NCR 279	*											
10 NCAC 03R .1613					13-14 NCR 1119	14-04 NCR 279	*											
10 NCAC 03R .1615					13-14 NCR 1119	14-04 NCR 279	*											
10 NCAC 03R .1713					13-14 NCR 1119	14-04 NCR 279	*											
10 NCAC 03R .1714					13-14 NCR 1119	14-04 NCR 279	*											
10 NCAC 03R .1715					13-14 NCR 1119	14-04 NCR 279	*											
10 NCAC 03R .1912					13-14 NCR 1119	14-04 NCR 279	*											
10 NCAC 03R .1913					13-14 NCR 1119	14-04 NCR 279	*											
10 NCAC 03R .1914					13-14 NCR 1119	14-04 NCR 279	*											
10 NCAC 03R .2113					13-14 NCR 1119	14-04 NCR 279	*											
10 NCAC 03R .2713					13-14 NCR 1119	14-04 NCR 279	*											
10 NCAC 03R .2715					13-14 NCR 1119	14-04 NCR 279	*											
10 NCAC 03R .4203					13-14 NCR 1119	14-04 NCR 279	*											
10 NCAC 03R 6001	11-22 NCR 1704				12-15 NCR 1431	13-02 NCR 178	S/L/SE	Object	10/22/98									
10 NCAC 03R 6112					Temp Expired 04/15/99			Object	12/17/98									
10 NCAC 03R .6201					13-14 NCR 1119	14-03 NCR 130	*	Returned to Acy	04/15/99									
10 NCAC 03R .6202					13-14 NCR 1119	14-03 NCR 130	*											
10 NCAC 03R .6203					13-14 NCR 1119	14-03 NCR 130	*											
10 NCAC 03R .6204					14-04 NCR 314													
10 NCAC 03R .6205					13-14 NCR 1119	14-03 NCR 130	*											
10 NCAC 03R .6206					13-14 NCR 1119	14-03 NCR 130	*											
10 NCAC 03R .6207					13-14 NCR 1119	14-03 NCR 130	*											
10 NCAC 03R .6208					13-14 NCR 1119	14-03 NCR 130	S/L/SE											
10 NCAC 03R .6209					13-14 NCR 1119	14-03 NCR 130	S/L/SE											

**CUMULATIVE INDEX**  
 (Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 03R 6210		14:04 NCR 314	13:14 NCR 1119	14:03 NCR 130						
10 NCAC 03R .6211			13:14 NCR 1119	14:03 NCR 130	S/L/SE					
10 NCAC 03R 6212		13:14 NCR 1119	14:03 NCR 130		S/L/SE					
10 NCAC 03R 6213		13:14 NCR 1119	14:03 NCR 130							
10 NCAC 03R 6214		13:14 NCR 1119	14:03 NCR 130		*					
10 NCAC 03R .6215		13:14 NCR 1119	14:03 NCR 130							
10 NCAC 03R 6216		13:14 NCR 1119	14:03 NCR 130		*					
10 NCAC 03R 6217		13:14 NCR 1119	14:03 NCR 130		*					
10 NCAC 03R 6218		13:14 NCR 1119	14:03 NCR 130		*					
10 NCAC 03R 6219		13:14 NCR 1119	14:03 NCR 130		*					
10 NCAC 03R 6220		13:14 NCR 1119	14:03 NCR 130		S/L/SE					
10 NCAC 03R 6221		13:14 NCR 1119	14:03 NCR 130		S/L/SE					
10 NCAC 03R 6222		14:04 NCR 314								
10 NCAC 03R 6223		13:14 NCR 1119	14:03 NCR 130		S/L/SE					
10 NCAC 03R .6224		13:14 NCR 1119	14:03 NCR 130							
10 NCAC 03R 6225		13:14 NCR 1119	14:03 NCR 130		*					
10 NCAC 03R 6226		13:14 NCR 1119	14:03 NCR 130		S/L/SE					
10 NCAC 03R 6227		13:14 NCR 1119	14:03 NCR 130							
10 NCAC 03R 6228		13:14 NCR 1119	14:03 NCR 130		S/L/SE					
10 NCAC 03R 6229		13:14 NCR 1119	14:03 NCR 130		S/L/SE					
10 NCAC 03R 6230		13:14 NCR 1119	14:03 NCR 130		*					
10 NCAC 03R .6231		13:14 NCR 1119	14:03 NCR 130		*					
10 NCAC 03R 6232		13:14 NCR 1119	14:03 NCR 130		*					
10 NCAC 03R 6233		13:14 NCR 1119	14:03 NCR 130		S/L/SE					
10 NCAC 03R 6234		13:14 NCR 1119	14:03 NCR 130		S/L/SE					
10 NCAC 03R 6235		13:14 NCR 1119	14:03 NCR 130		*					

**CUMULATIVE INDEX**  
 (Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 03R .6236			13.14 NCR 1119		14:03 NCR 130		*			
10 NCAC 03R .6237			13.14 NCR 1119		14:03 NCR 130		*			
10 NCAC 03R .6238			13.14 NCR 1119		14:03 NCR 130		*			
10 NCAC 03R .6239			13.14 NCR 1119		14:03 NCR 130		*			
10 NCAC 03R .6240			13.14 NCR 1119		14:03 NCR 130		*			
10 NCAC 03R .6241			13.14 NCR 1119		14:03 NCR 130		*			
10 NCAC 03S .0108	12.24 NCR 2194				14:05 NCR 374		*			
10 NCAC 03S .0109	12.24 NCR 2194				14:05 NCR 374		*			
10 NCAC 03S .0207	12.24 NCR 2194				14:05 NCR 374		*			
10 NCAC 03S .0208	12.24 NCR 2194				14:05 NCR 374		*			
10 NCAC 03S .0209	12.24 NCR 2194				14:05 NCR 374		*			
10 NCAC 03S .0210	12.24 NCR 2194				14:05 NCR 374		*			
10 NCAC 03S .0211	12.24 NCR 2194				14:05 NCR 374		*			
10 NCAC 03S .0213	12.24 NCR 2194				14:05 NCR 374		*			
10 NCAC 03S .0214	12.24 NCR 2194				14:05 NCR 374		*			
10 NCAC 03S .0307	12.24 NCR 2194				14:05 NCR 374		*			
10 NCAC 03S .0308	12.24 NCR 2194				14:05 NCR 374		*			
10 NCAC 03S .0407	12.24 NCR 2194				14:05 NCR 374		*			
10 NCAC 03S .0408	12.24 NCR 2194				14:05 NCR 374		*			
10 NCAC 03S .0506	12.24 NCR 2194				14:05 NCR 374		*			
10 NCAC 03S .0507	12.24 NCR 2194				14:05 NCR 374		*			
10 NCAC 03S .0508	12.24 NCR 2194				14:05 NCR 374		*			
10 NCAC 03S .0509	12.24 NCR 2194				14:05 NCR 374		*			
10 NCAC 03S .0510	12.24 NCR 2194				14:05 NCR 374		*			
10 NCAC 03S .0511	12.24 NCR 2194				14:05 NCR 374		*			
10 NCAC 03S .0614	12.24 NCR 2194				14:05 NCR 374		*			
10 NCAC 03S .0645	12.24 NCR 2194				14:05 NCR 374		*			

## CUMULATIVE INDEX

(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
				Action	Date				
10 NCAC 03S .0616	12-24 NCR 2194			14.05 NCR 374	*				
10 NCAC 03S .0617	12-24 NCR 2194			14.05 NCR 374	*				
10 NCAC 03S .0618	12-24 NCR 2194			14.05 NCR 374	*				
10 NCAC 03S .0619	12-24 NCR 2194			14.05 NCR 374	*				
10 NCAC 03S .0706	12-24 NCR 2194			14.05 NCR 374	*				
10 NCAC 03S .0707	12-24 NCR 2194			14.05 NCR 374	*				
10 NCAC 03S .0806	12-24 NCR 2194			14.05 NCR 374	*				
10 NCAC 03S .0807	12-24 NCR 2194			14.05 NCR 374	*				
10 NCAC 03S .0808	12-24 NCR 2194			14.05 NCR 374	*				
10 NCAC 03S .0901	12-24 NCR 2194			14.05 NCR 374	*				
10 NCAC 03S .0902	12-24 NCR 2194			14.05 NCR 374	*				
10 NCAC 03S .0903	12-24 NCR 2194			14.05 NCR 374	*				
10 NCAC 03S .0904	12-24 NCR 2194			14.05 NCR 374	*				
10 NCAC 03S 1001	12-24 NCR 2194			14.05 NCR 374	*				
10 NCAC 03S .1002	12-24 NCR 2194			14.05 NCR 374	*				
10 NCAC 03S 1003	12-24 NCR 2194			14.05 NCR 374	*				
10 NCAC 03S 1004	12-24 NCR 2194			14.05 NCR 374	*				
10 NCAC 03S 1005	12-24 NCR 2194			14.05 NCR 374	*				
10 NCAC 03S 1006	12-24 NCR 2194			14.05 NCR 374	*				
10 NCAC 03S 1101	12-24 NCR 2194			14.05 NCR 374	*				
10 NCAC 03S 1201	12-24 NCR 2194			14.05 NCR 374	*				
10 NCAC 03S 1202	12-24 NCR 2194			14.05 NCR 374	*				
10 NCAC 03S 1203	12-24 NCR 2194			14.05 NCR 374	*				
10 NCAC 03S .1204	12-24 NCR 2194			14.05 NCR 374	*				
10 NCAC 03S .1205	12-24 NCR 2194			14.05 NCR 374	*				
10 NCAC 03S .1206	12-24 NCR 2194			14.05 NCR 374	*				
10 NCAC 03S 1207	12-24 NCR 2194			14.05 NCR 374	*				

**CUMULATIVE INDEX**  
 (Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Role	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 03S 1301	12-24 NCR 2194				14.05 NCR 374	*				
10 NCAC 03S 1302	12-24 NCR 2194				14.05 NCR 374	*				
10 NCAC 03S 1303	12-24 NCR 2194				14.05 NCR 374	*				
10 NCAC 03S 1401	12-24 NCR 2194				14.05 NCR 374	*				
10 NCAC 03S 1501	12-24 NCR 2194				14.05 NCR 374	*				
10 NCAC 03S 1601	12-24 NCR 2194				14.05 NCR 374	*				
10 NCAC 03S 1701	12-24 NCR 2194				14.05 NCR 374	*				
10 NCAC 03S 1702	12-24 NCR 2194				14.05 NCR 374	*				
10 NCAC 03S 1801	12-24 NCR 2194				14.05 NCR 374	*				
10 NCAC 03S 1802	12-24 NCR 2194				14.05 NCR 374	*				
10 NCAC 03S 1803	12-24 NCR 2194				14.05 NCR 374	*				
10 NCAC 03S 1804	12-24 NCR 2194				14.05 NCR 374	*				
10 NCAC 03S 1805	12-24 NCR 2194				14.05 NCR 374	*				
10 NCAC 03S 1806	12-24 NCR 2194				14.05 NCR 374	*				
10 NCAC 03S 1901	12-24 NCR 2194				14.05 NCR 374	*				
10 NCAC 03S 1902	12-24 NCR 2194				14.05 NCR 374	*				
10 NCAC 03S 1903	12-24 NCR 2194				14.05 NCR 374	*				
10 NCAC 03S 2001	12-24 NCR 2194				14.05 NCR 374	*				
10 NCAC 03S 2002	12-24 NCR 2194				14.05 NCR 374	*				
10 NCAC 03S 2101	12-24 NCR 2194				14.05 NCR 374	*				
10 NCAC 03S 2102	12-24 NCR 2194				14.05 NCR 374	*				
10 NCAC 03S 2103	12-24 NCR 2194				14.05 NCR 374	*				
10 NCAC 03S 2104	12-24 NCR 2194				14.05 NCR 374	*				
10 NCAC 03S 2105	12-24 NCR 2194				14.05 NCR 374	*				
10 NCAC 03S 2106	12-24 NCR 2194				14.05 NCR 374	*				
<b>Health Services, Commission for</b>										
15A NCAC 16A.1104	13.14 NCR 1114				14.01 NCR 12	*				
										Object
										10/04/99

**CUMULATIVE INDEX**  
(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Role	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 16A 1106	13:14 NCR 1114		14:01 NCR 12	*	Approve	10/04/99				
15A NCAC 19A .0401	13:11 NCR 855	13:24 NCR 2034	13:24 NCR 2004	*	Approve	10/04/99	*			
15A NCAC 19A .0401	13:22 NCR 1818	13:24 NCR 2034	13:24 NCR 2004	*	Approve	10/04/99	*			
15A NCAC 19A .0401	14:06 NCR 483	14:06 NCR 483								
15A NCAC 19A .0404	13:11 NCR 855		13:24 NCR 2004	*	Approve	10/04/99				
15A NCAC 19A .0404	13:22 NCR 1818		13:24 NCR 2004	*	Approve	10/04/99				
15A NCAC 19A .0406	13:11 NCR 855		13:24 NCR 2004	*	Approve	10/04/99				
15A NCAC 19A .0406	13:22 NCR 1818		13:24 NCR 2004	*	Approve	10/04/99				
15A NCAC 19A .0502	13:11 NCR 855	13:13 NCR 1059	13:24 NCR 2004	*	Approve	10/04/99	*			
15A NCAC 19A .0502	13:22 NCR 1818		13:24 NCR 2004	*	Approve	10/04/99	*			
15A NCAC 21F 1201	14:03 NCR 126		14:06 NCR 483							
15A NCAC 21F 1202	14:03 NCR 126		14:06 NCR 483							
15A NCAC 21F 1203	14:03 NCR 126		14:06 NCR 483							
15A NCAC 21F 1204	14:03 NCR 126		14:06 NCR 483							
15A NCAC 21H .0110	12:20 NCR 1822		13:07 NCR 591	S	Extended Rev. Agcy Withdraw	01/21/99 02/02/99				
15A NCAC 21H .0111	12:20 NCR 1822		13:07 NCR 591	S	Approve	01/21/99	*			
15A NCAC 21H .0113	12:20 NCR 1822		13:07 NCR 591	*	Approve	01/21/99				
15A NCAC 21H .0314	14:03 NCR 126		14:06 NCR 483							
15A NCAC 21H .0102	14:04 NCR 272									
15A NCAC 21H .0103	14:04 NCR 272									
15A NCAC 21H .0102	14:04 NCR 272									
15A NCAC 21J 0103	14:04 NCR 272									
15A NCAC 23 .0201	13:22 NCR 1820		14:02 NCR 80	*	Approve	10/04/99				
15A NCAC 23 .0202	13:22 NCR 1820		14:02 NCR 80	S/L	Approve	10/04/99				
15A NCAC 23 .0204	13:22 NCR 1820		14:02 NCR 80	*	Approve	10/04/99				
15A NCAC 23 .0501	13:22 NCR 1820		14:02 NCR 80	*	Approve	10/04/99				
15A NCAC 24A .0402	14:03 NCR 126		14:06 NCR 483							

**CUMULATIVE INDEX**  
 (Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 24A .0403	14.03 NCR 126									
15A NCAC 26C	13.22 NCR 1820				14.01 NCR 12		*			
15A NCAC 26C .0101	13.22 NCR 1820				14.01 NCR 12		*			
15A NCAC 26C .0102	13.22 NCR 1820				14.01 NCR 12		*			
15A NCAC 26C .0103	13.22 NCR 1820				14.01 NCR 12		*			
15A NCAC 26C .0104	13.22 NCR 1820				14.01 NCR 12		*			
15A NCAC 26C .0105	13.22 NCR 1820				14.01 NCR 12		*			
15A NCAC 26C .0106	13.22 NCR 1820				14.01 NCR 12		*			
15A NCAC 26C .0107	13.22 NCR 1820				14.01 NCR 12		*			
<b>Medical Assistance</b>										
10 NCAC 26B .0113	14.01 NCR 4				14.04 NCR 319					
10 NCAC 26D .0101	14.09 NCR 687				14.09 NCR 687					
10 NCAC 26D .0110	12.06 NCR 444					12.21 NCR 1875	*			
10 NCAC 26H .0101	11.14 NCR 1108									
10 NCAC 26H .0102	11.14 NCR 1108									
10 NCAC 26H .0212					12.09 NCR 827					
					Temp Expired 7/31/98					
					12.13 NCR 733					
					14.08 NCR 595					
					14.08 NCR 595					
					11.26 NCR 1997					
					12.09 NCR 827					
					13.08 NCR 733					
					14.08 NCR 595					
					13.03 NCR 316					
					13.08 NCR 668					
10 NCAC 26H .0304					S/L					
					Object					
					Approve					
10 NCAC 26H .0304					01/21/99	*				
10 NCAC 26H .0401										
10 NCAC 26H .0101	13.02 NCR 175				13.12 NCR 947		*			
10 NCAC 26K .0106	12.05 NCR 337				13.07 NCR 588		*			



**CUMULATIVE INDEX**  
(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 42B .1707		14.05 NCR .370		14.08 NCR 606						
10 NCAC 42B .1803		14.05 NCR .370		14.08 NCR 606						
10 NCAC 42B .2013		14.05 NCR .370		14.08 NCR 606						
10 NCAC 42B .2014		14.05 NCR .370		14.08 NCR 606						
10 NCAC 42B .2501		14.05 NCR .370		14.08 NCR 606						
10 NCAC 42B .2502		14.05 NCR .370		14.08 NCR 606						
10 NCAC 42B .2503		14.05 NCR .370		14.08 NCR 606						
10 NCAC 42C .2005		14.05 NCR .370		14.08 NCR 606						
10 NCAC 42C .2011		14.05 NCR .370		14.08 NCR 606						
10 NCAC 42C .2012		14.05 NCR .370		14.08 NCR 606						
10 NCAC 42C .2013		14.05 NCR .370		14.08 NCR 606						
10 NCAC 42C .2014		14.05 NCR .370		14.08 NCR 606						
10 NCAC 42C .2207		14.05 NCR .370		14.08 NCR 606						
10 NCAC 42C .2214		14.05 NCR .370		14.08 NCR 606						
10 NCAC 42C .2302		14.05 NCR .370		14.08 NCR 606						
10 NCAC 42C .2501		14.05 NCR .370		14.08 NCR 606						
10 NCAC 42C .2505		14.05 NCR .370		14.08 NCR 606						
10 NCAC 42C .2506		14.05 NCR .370		14.08 NCR 606						
10 NCAC 42C .2703		14.05 NCR .370		14.08 NCR 606						
10 NCAC 42C .3401		14.05 NCR .370		14.08 NCR 606						
10 NCAC 42C .3402		14.05 NCR .370		14.08 NCR 606						
10 NCAC 42C .3701		14.05 NCR .370		14.08 NCR 606						
10 NCAC 42C .3703		14.05 NCR .370		14.08 NCR 606						
10 NCAC 42C .3801		14.05 NCR .370		14.08 NCR 606						
10 NCAC 42C .3802		14.05 NCR .370		14.08 NCR 606						
10 NCAC 42C .3803		14.05 NCR .370		14.08 NCR 606						
10 NCAC 42C .3804		14.05 NCR .370		14.08 NCR 606						

**CUMULATIVE INDEX**  
 (Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 42C .3805		14.05 NCR 370								
10 NCAC 42C .3806		14.05 NCR 370								
10 NCAC 42C .3807		14.05 NCR 370								
10 NCAC 42C .3808		14.05 NCR 370								
10 NCAC 42C .3809		14.05 NCR 370								
10 NCAC 42C .3810		14.05 NCR 370								
10 NCAC 42C .3901		14.05 NCR 370								
10 NCAC 42C .3902		14.05 NCR 370								
10 NCAC 42C .3903		14.05 NCR 370								
10 NCAC 42D 1301		14.05 NCR 370								
10 NCAC 42D 1302		14.05 NCR 370								
10 NCAC 42D 1303		14.05 NCR 370								
10 NCAC 42D 1401		14.05 NCR 370								
10 NCAC 42D 1402		14.05 NCR 370								
10 NCAC 42D 1407		14.05 NCR 370								
10 NCAC 42D 1410		14.05 NCR 370								
10 NCAC 42D 1411		14.05 NCR 370								
10 NCAC 42D 1412		14.05 NCR 370								
10 NCAC 42D 1413		14.05 NCR 370								
10 NCAC 42D 1414		14.05 NCR 370								
10 NCAC 42D 1415		14.05 NCR 370								
10 NCAC 42D 1416		14.05 NCR 370								
10 NCAC 42D 1503		14.05 NCR 370								
10 NCAC 42D 1605		14.05 NCR 370								
10 NCAC 42D 1804		14.05 NCR 370								
10 NCAC 42D 1813		14.05 NCR 370								
10 NCAC 42D 1821		14.05 NCR 370								

**CUMULATIVE INDEX**  
 (Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Role	Other
					Action	Date				
10 NCAC 42D 1832		14.05 NCR 370								
10 NCAC 42D 1833		14.05 NCR 370								
10 NCAC 42D 1901		14.05 NCR 370								
10 NCAC 42D 1902		14.05 NCR 370								
10 NCAC 42D 1903		14.05 NCR 370								
10 NCAC 42D 1904		14.05 NCR 370								
10 NCAC 42D 1905		14.05 NCR 370								
10 NCAC 42D 1906		14.05 NCR 370								
10 NCAC 42D 1907		14.05 NCR 370								
10 NCAC 42D 1908		14.05 NCR 370								
10 NCAC 42D 1909		14.05 NCR 370								
10 NCAC 42D 1910		14.05 NCR 370								
10 NCAC 42D 2001		14.05 NCR 370								
10 NCAC 42D 2002		14.05 NCR 370								
10 NCAC 42D 2003		14.05 NCR 370								
10 NCAC 42D 2004		14.05 NCR 370								
10 NCAC 42D 2005		14.05 NCR 370								
10 NCAC 42D 2006		14.05 NCR 370								
10 NCAC 42D 2007		14.05 NCR 370								
10 NCAC 42D 2008		14.05 NCR 370								
10 NCAC 42D 2009		14.05 NCR 370								
10 NCAC 42D 2010		14.05 NCR 370								
10 NCAC 42D 2011		14.05 NCR 370								
10 NCAC 42D 2101		14.05 NCR 370								
10 NCAC 42D 2102		14.05 NCR 370								
10 NCAC 42D 2201		14.05 NCR 370								
10 NCAC 42D 2202		14.05 NCR 370								

**CUMULATIVE INDEX**  
(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
<b>Mental Health, Developmental Disabilities and Substance Abuse Services</b>										
10 NCAC 42D .2203	14.05 NCR 370				14.08 NCR 606					
10 NCAC 14V .0802	12.20 NCR 1820		13.22 NCR 1853		13.22 NCR 1853	*				
10 NCAC 14V .0803	12.20 NCR 1820		13.22 NCR 1853		13.22 NCR 1853	*				
10 NCAC 14V .0804	12.20 NCR 1820		13.22 NCR 1853		13.22 NCR 1853	*				
10 NCAC 14V .0805	12.20 NCR 1820		13.22 NCR 1853		13.22 NCR 1853	*				
10 NCAC 14V .3600	14.07 NCR 518									
10 NCAC 14V .3800	12.20 NCR 1820									
10 NCAC 14V .4000	12.20 NCR 1820									
10 NCAC 14V .4301	12.19 NCR 1762									
10 NCAC 14V .4302	12.19 NCR 1762									
10 NCAC 14V .4303	12.19 NCR 1762									
10 NCAC 14V .4304	12.19 NCR 1762									
10 NCAC 14V .4305	12.19 NCR 1762									
10 NCAC 14V .4306	12.19 NCR 1762									
10 NCAC 14V .5000	12.20 NCR 1820									
10 NCAC 45G .0410	13.23 NCR 1947		13.23 NCR 1947		14.09 NCR 659	*				
10 NCAC 45H .0205	11.19 NCR 1762		12.24 NCR 2223		13.05 NCR 487	*				
			Temp Expired 03/12/99							
<b>Secretary of Health and Human Services</b>										
10 NCAC 14V .7000	14.07 NCR 518				12.01 NCR 31		12.07 NCR 511			
10 NCAC 14V .7006					Temp Expired 03/28/98					
10 NCAC 14V .7201	13.05 NCR 436						13.13 NCR 1042	*		
10 NCAC 14V .7202	13.05 NCR 436						13.13 NCR 1042	*		
10 NCAC 14V .7203	13.05 NCR 436						13.13 NCR 1042	*		
10 NCAC 14V .7204	13.05 NCR 436						13.13 NCR 1042	*		
10 NCAC 14V .7205	13.05 NCR 436						13.13 NCR 1042	*		

**CUMULATIVE INDEX**  
 (Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
<b>Social Services Commission</b>										
10 NCAC 24	14 06 NCR 427				*		Approve	07/15/99	14,06 NCR 490	
10 NCAC 29C .0103					13,06 NCR 566					
10 NCAC 41E 0401	12,11 NCR 919				13,05 NCR 438	*	Approve	02/18/99	13,24 NCR 2037	
10 NCAC 41E 0403	12,11 NCR 919				13,11 NCR 857	*	Approve	02/18/99	13,24 NCR 2037	
10 NCAC 41E 0404	12,11 NCR 919				13,05 NCR 438	*	Approve	02/18/99	13,24 NCR 2037	
10 NCAC 41E 0405	12,11 NCR 919				13,11 NCR 857	*	Approve	02/18/99	13,24 NCR 2037	
10 NCAC 41E 0406	12,11 NCR 919				13,05 NCR 438	*	Approve	02/18/99	13,24 NCR 2037	
10 NCAC 41E 0501	12,11 NCR 919				13,11 NCR 857	*	Approve	02/18/99	13,24 NCR 2037	
10 NCAC 41E 0502	12,11 NCR 919				13,11 NCR 857	*	Approve	02/18/99	13,24 NCR 2037	
10 NCAC 41E .0503	12,11 NCR 919				13,05 NCR 438	*	Approve	02/18/99	13,24 NCR 2037	
10 NCAC 41E 0504	12,11 NCR 919				13,11 NCR 857	*	Approve	02/18/99	13,24 NCR 2037	
10 NCAC 41E .0505	12,11 NCR 919				13,05 NCR 438	*	Approve	02/18/99	13,24 NCR 2037	
10 NCAC 41E 0506	12,11 NCR 919				13,11 NCR 857	*	Approve	02/18/99	13,24 NCR 2037	
10 NCAC 41E 0507	12,11 NCR 919				13,05 NCR 438	*	Approve	02/18/99	13,24 NCR 2037	
10 NCAC 41E 0508	12,11 NCR 919				13,11 NCR 857	*	Approve	02/18/99	13,24 NCR 2037	
10 NCAC 41E .0511	12,11 NCR 919				13,05 NCR 438	*	Approve	02/18/99	13,24 NCR 2037	
10 NCAC 41E .0512	12,11 NCR 919				13,11 NCR 857	*	Approve	02/18/99	13,24 NCR 2037	
10 NCAC 41E .0513	12,11 NCR 919				13,05 NCR 438	*	Approve	02/18/99	13,24 NCR 2037	
					13,11 NCR 857	*	Approve	02/18/99		

**CUMULATIVE INDEX**  
(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 41E .0514	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41E .0515	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41E .0516	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41E .0517	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41E .0518	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41E .0601	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41E .0602	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41E .0603	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41E .0604	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41E .0605	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41E .0606	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41E .0701	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41E .0702	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41E .0703	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41E .0704	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41G .0501	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41G .0502	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41G .0504	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41G .0505	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41G .0506	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41G .0507	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99	13.24 NCR 2037	

**CUMULATIVE INDEX**  
 (Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 41G .0508	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
					13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G .0509	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
					13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G .0510	12.11 NCR 919				13.11 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
					13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G .0511	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
					13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G .0512	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
					13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G .0513	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
					13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G .0601	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
					13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G .0602	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
					13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G .0603	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
					13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G .0604	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
					13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G .0605	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
					13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G .0606	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
					13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G .0701	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
					13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G .0702	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
					13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G .0703	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
					13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G .0704	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
					13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G .0705	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
					13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G .0706	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
					13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G .0707	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
					13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G .0708	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
					13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037

**CUMULATIVE INDEX**  
 (Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 41G 0801	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41G 0802	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41G .0803	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41G 0804	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41G 0805	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41G .0806	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41G 0807	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41G .0808	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41G 0809	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41G .0902	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41G 1001	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41G 1002	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41G 1004	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41G 1005	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41G 1006	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41G 1007	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41G 1008	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41G 1009	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41G 1010	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41G 1011	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99	13.24 NCR 2037	
10 NCAC 41G 1012	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99	13.24 NCR 2037	

**CUMULATIVE INDEX**  
(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Approved by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 41G.1013	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G.1101	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G.1102	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G.1103	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G.1104	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G.1105	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G.1106	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G.1201	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G.1202	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G.1203	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G.1204	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G.1205	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G.1206	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G.1207	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G.1208	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G.1301	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G.1302	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G.1303	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G.1304	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G.1305	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037

**CUMULATIVE INDEX**  
 (Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRG Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 41G 1306	12.11 NCR 919			*	Approve	02/18/99				13.24 NCR 2037
10 NCAC 41G 1307	12.11 NCR 919			13.05 NCR 438	*					13.24 NCR 2037
10 NCAC 41G 1308	12.11 NCR 919			13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037
10 NCAC 41G 1309	12.11 NCR 919			13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037
10 NCAC 41G 1402	12.11 NCR 919			13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037
10 NCAC 41H 0102	10.17 NCR 2228			10.21 NCR 2687	*	Approve	02/18/99			13.24 NCR 2037
10 NCAC 41H .0101	12.11 NCR 919			13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037
10 NCAC 41H .0102	12.11 NCR 919			13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037
10 NCAC 41H .0103	12.11 NCR 919			13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037
10 NCAC 41H .0104	12.11 NCR 919			13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037
10 NCAC 41H .0105	12.11 NCR 919			13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037
10 NCAC 41H .0106	12.11 NCR 919			13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037
10 NCAC 41H .0107	12.11 NCR 919			13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037
10 NCAC 41S .0101	12.11 NCR 919			13.11 NCR 857	*	Object	02/18/99	*		13.24 NCR 2037
10 NCAC 41S .0102	12.11 NCR 919			13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037
10 NCAC 41S .0201	12.11 NCR 919			13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037
10 NCAC 41S .0202	12.11 NCR 919			13.05 NCR 438	*	Approve	02/18/99	*		13.24 NCR 2037
10 NCAC 41S .0203	12.11 NCR 919			13.11 NCR 857	*	Approve	02/18/99	*		13.24 NCR 2037
10 NCAC 41S .0204	12.11 NCR 919			13.05 NCR 438	*	Approve	02/18/99	*		13.24 NCR 2037
10 NCAC 41S .0301	12.11 NCR 919			13.11 NCR 857	*	Approve	02/18/99	*		13.24 NCR 2037

**CUMULATIVE INDEX**  
(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 41S .0302	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41S .0303	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
					13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41S .0304	12.11 NCR 919				13.11 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41S .0305	12.11 NCR 919				13.05 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41S .0306	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41S .0307	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41S .0401	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41S .0402	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41S .0403	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41S .0404	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41S .0405	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41S .0406	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99	*	13.24 NCR 2037
10 NCAC 41S .0407	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41S .0501	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41S .0502	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41S .0503	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41S .0504	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41S .0505	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41S .0506	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41S .0601	12.11 NCR 919				13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41S .0602	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037

**CUMULATIVE INDEX**  
(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 41S .0603	12.11 NCR 919				13:11 NCR 857	*	Approve	02/18/99	13:24 NCR 2037	
					13:05 NCR 438	*	Approve	02/18/99	13:24 NCR 2037	
10 NCAC 41S .0604	12.11 NCR 919				13:11 NCR 857	*	Approve	02/18/99	13:24 NCR 2037	
					13:05 NCR 438	*	Approve	02/18/99	13:24 NCR 2037	
10 NCAC 41S .0605	12.11 NCR 919				13:11 NCR 857	*	Approve	02/18/99	13:24 NCR 2037	
					13:05 NCR 438	*	Approve	02/18/99	13:24 NCR 2037	
10 NCAC 41S .0606	12.11 NCR 919				13:11 NCR 857	*	Approve	02/18/99	13:24 NCR 2037	
					13:05 NCR 438	*	Approve	02/18/99	13:24 NCR 2037	
10 NCAC 41S .0607	12.11 NCR 919				13:11 NCR 857	*	Approve	02/18/99	13:24 NCR 2037	
					13:05 NCR 438	*	Approve	02/18/99	13:24 NCR 2037	
10 NCAC 41S .0608	12.11 NCR 919				13:11 NCR 857	*	Approve	02/18/99	13:24 NCR 2037	
					13:05 NCR 438	*	Approve	02/18/99	13:24 NCR 2037	
10 NCAC 41S .0609	12.11 NCR 919				13:11 NCR 857	*	Approve	02/18/99	13:24 NCR 2037	
					13:05 NCR 438	*	Approve	02/18/99	13:24 NCR 2037	
10 NCAC 41S .0610	12.11 NCR 919				13:11 NCR 857	*	Approve	02/18/99	13:24 NCR 2037	
					13:05 NCR 438	*	Approve	02/18/99	13:24 NCR 2037	
10 NCAC 41S .0611	12.11 NCR 919				13:11 NCR 857	*	Approve	02/18/99	13:24 NCR 2037	
					13:05 NCR 438	*	Approve	02/18/99	13:24 NCR 2037	
10 NCAC 41S .0612	12.11 NCR 919				13:11 NCR 857	*	Approve	02/18/99	13:24 NCR 2037	
					13:05 NCR 438	*	Approve	02/18/99	13:24 NCR 2037	
10 NCAC 41S .0613	12.11 NCR 919				13:11 NCR 857	*	Approve	02/18/99	13:24 NCR 2037	
					14:04 NCR .321					
10 NCAC 41S .0613					13:05 NCR 438	*	Approve	02/18/99	13:24 NCR 2037	
10 NCAC 41S .0614	12.11 NCR 919				13:11 NCR 857	*	Approve	02/18/99	13:24 NCR 2037	
					13:05 NCR 438	*	Approve	02/18/99	13:24 NCR 2037	
10 NCAC 41S .0645	12.11 NCR 919				13:11 NCR 857	*	Approve	02/18/99	13:24 NCR 2037	
					13:05 NCR 438	*	Approve	02/18/99	13:24 NCR 2037	
10 NCAC 41S .0701	12.11 NCR 919				13:11 NCR 857	*	Approve	02/18/99	13:24 NCR 2037	
					13:05 NCR 438	*	Approve	02/18/99	13:24 NCR 2037	
10 NCAC 41S .0702	12.11 NCR 919				13:11 NCR 857	*	Approve	02/18/99	13:24 NCR 2037	
					13:05 NCR 438	*	Approve	02/18/99	13:24 NCR 2037	
10 NCAC 41S .0703	12.11 NCR 919				13:11 NCR 857	*	Approve	02/18/99	13:24 NCR 2037	
					13:05 NCR 438	*	Approve	02/18/99	13:24 NCR 2037	
10 NCAC 41S .0704	12.11 NCR 919				13:11 NCR 857	*	Object	02/18/99	13:24 NCR 2037	
					13:11 NCR 857	*	Approve	02/18/99	13:24 NCR 2037	
10 NCAC 41S .0705	12.11 NCR 919				13:05 NCR 438	*	Approve	02/18/99	13:24 NCR 2037	
					13:11 NCR 857	*	Approve	02/18/99	13:24 NCR 2037	
10 NCAC 41S .0706	12.11 NCR 919				13:05 NCR 438	*	Approve	02/18/99	13:24 NCR 2037	

**CUMULATIVE INDEX**  
 (Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 41S .0707	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
					13.05 NCR 438	*	Approve	02/18/99	*	13.24 NCR 2037
10 NCAC 41S .0708	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99	*	13.24 NCR 2037
					13.05 NCR 438	*	Approve	02/18/99	*	13.24 NCR 2037
10 NCAC 41S .0709	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
					13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41S .0710	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
					13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41S .0711	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
					13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41S .0712	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
					13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41S .0713	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
					13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41T 0101	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99	*	13.24 NCR 2037
					13.05 NCR 438	*	Approve	02/18/99	*	13.24 NCR 2037
10 NCAC 41T 0102	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
					13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41T 0103	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
					13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41T 0104	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
					13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41T 0105	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
					13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41T 0106	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
					13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41T 0201	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
					13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41T 0202	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
					13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41T 0203	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
					13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41T 0204	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
					13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41T 0205	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
					13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41T 0206	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
					13.05 NCR 438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 42A 0801	14.06 NCR 427				14.08 NCR 602		Approve	02/18/99		13.24 NCR 2037

**CUMULATIVE INDEX**  
(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	RRC Status		Text differs from proposal	Approved Rule	Other
				Action	Date			
10 NCAC 42A .0802		14.06 NCR 427		14.08 NCR 602				
10 NCAC 42A .0803		14.06 NCR 427		14.08 NCR 602				
10 NCAC 42A .0804		14.06 NCR 427		14.08 NCR 602				
10 NCAC 42A .0805		14.06 NCR 427		14.08 NCR 602				
10 NCAC 42A .0806		14.06 NCR 427		14.08 NCR 602				
10 NCAC 42A .0807		14.06 NCR 427		14.08 NCR 602				
10 NCAC 42A .0808		14.06 NCR 427		14.08 NCR 602				
10 NCAC 42A .0809		14.06 NCR 427		14.08 NCR 602				
10 NCAC 42A .0810		14.06 NCR 427		14.08 NCR 602				
10 NCAC 42E .0801		14.06 NCR 427		14.08 NCR 642				
10 NCAC 42E .1501		14.06 NCR 427		14.08 NCR 642				
10 NCAC 42E .1502		14.06 NCR 427		14.08 NCR 642				
10 NCAC 42V .0108		14.06 NCR 427		14.08 NCR 642				
10 NCAC 42Z .1001		14.06 NCR 427		14.08 NCR 642				
10 NCAC 47B .0103		14.07 NCR 519		14.08 NCR 602				
10 NCAC 47B .0204		14.07 NCR 519		14.08 NCR 602				
10 NCAC 47B .0407		14.07 NCR 519		14.08 NCR 602				

**Vocational Rehabilitation Services**

10 NCAC 20A .0101	14.07 NCR 519		
10 NCAC 20A .0102	14.07 NCR 519		
10 NCAC 20B .0102	14.07 NCR 519		
10 NCAC 20B .0103	14.07 NCR 519		
10 NCAC 20B .0105	14.07 NCR 519		
10 NCAC 20B .0108	14.07 NCR 519		
10 NCAC 20B .0201	14.07 NCR 519		
10 NCAC 20B .0202	14.07 NCR 519		
10 NCAC 20B .0203	14.07 NCR 519		

**CUMULATIVE INDEX**  
(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 20B .0204			14-07 NCR 519							
10 NCAC 20B .0206			14-07 NCR 519							
10 NCAC 20B .0208			14-07 NCR 519							
10 NCAC 20B .0210			14-07 NCR 519							
10 NCAC 20B .0217			14-07 NCR 519							
10 NCAC 20B .0224			13-17 NCR 1379							
10 NCAC 20B .0225			14-07 NCR 519							
10 NCAC 20B .0228			13-17 NCR 1379							
10 NCAC 20C .0101			14-07 NCR 519							
10 NCAC 20C .0120			14-07 NCR 519							
10 NCAC 20C .0122			14-07 NCR 519							
10 NCAC 20C .0123			14-07 NCR 519							
10 NCAC 20C .0201			14-07 NCR 519							
10 NCAC 20C .0202			14-07 NCR 519							
10 NCAC 20C .0203			14-07 NCR 519							
10 NCAC 20C .0204			14-07 NCR 519							
10 NCAC 20C .0205			14-07 NCR 519							
10 NCAC 20C .0206			14-07 NCR 519							
10 NCAC 20C .0301			14-07 NCR 519							
10 NCAC 20C .0302			14-07 NCR 519							
10 NCAC 20C .0303			14-07 NCR 519							
10 NCAC 20C .0304			14-07 NCR 519							
10 NCAC 20C .0305			14-07 NCR 519							
10 NCAC 20C .0306			14-07 NCR 519							
10 NCAC 20C .0307			14-07 NCR 519							
10 NCAC 20C .0308			14-07 NCR 519							
10 NCAC 20C .0310			14-07 NCR 519							

**CUMULATIVE INDEX**  
(Updated through October 26, 1999)

Agency/Rule Citation	Role-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 20C .0311		14.07 NCR 519								
10 NCAC 20C .0313		14.07 NCR 519								
10 NCAC 20C .0314		14.07 NCR 519								
10 NCAC 20C .0315		14.07 NCR 519								
10 NCAC 20C .0316		14.07 NCR 519								
10 NCAC 20C .0401		14.07 NCR 519								
10 NCAC 20C .0408		14.07 NCR 519								
10 NCAC 20C .0502		14.07 NCR 519								
10 NCAC 20C .0601		14.07 NCR 519								
10 NCAC 20C .0603		14.07 NCR 519								
10 NCAC 20C .0604		14.07 NCR 519								
10 NCAC 20D .0101		14.07 NCR 519								
10 NCAC 20D .0201		14.07 NCR 519								
10 NCAC 20D .0301		14.07 NCR 519								
<b>HOUSING FINANCE AGENCY</b>										
24 NCAC 01H .0103		13.22 NCR 1822			14.02 NCR 82		*	Agcy Withdraw	10/04/99	
<b>INSURANCE</b>										
11 NCAC 12 .1025		N/A						Approve	10/04/99	
11 NCAC 12 .1702		14.02 NCR 78			14.06 NCR 433		*			
11 NCAC 13 .0514		14.02 NCR 78			14.06 NCR 433		*			
11 NCAC 13 .0518		14.02 NCR 78			14.06 NCR 433		*			
<b>Home Inspector Licensure Board</b>										
11 NCAC 08 .1100		14.08 NCR 577								
11 NCAC 08 .1300		14.08 NCR 577								
<b>JUSTICE</b>										
Criminal Justice Education and Training Standards Commission					N/A			Approve	10/04/99	
12 NCAC 09A .0103		N/A								

**CUMULATIVE INDEX**  
(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Role	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
12 NCAC 09B .0106	N/A			N/A	N/A		Approve	10/04/99		
12 NCAC 09B .0107	13:14 NCR 1110		13:19 NCR 1611	*	Ext. Review	06/17/99	Return to Agency	07/15/99		
12 NCAC 09B .0109	13:14 NCR 1110		13:19 NCR 1611	*	Approve	10/04/99	Approve	06/17/99		14:05 NCR 402
12 NCAC 09B .0110	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99	Approve	06/17/99		14:05 NCR 402
12 NCAC 09B .0112	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99	Approve	06/17/99		14:05 NCR 402
12 NCAC 09B .0113	13:14 NCR 1110		13:19 NCR 1611	*	Ext. Review	06/17/99	Return to Agency	07/15/99		
12 NCAC 09B .0115	13:14 NCR 1110		13:19 NCR 1611	*	Approve	10/04/99	Approve	06/17/99		14:05 NCR 402
12 NCAC 09B .0201	13:14 NCR 1110		13:19 NCR 1611	*	Object	06/17/99	Return to Agency	07/15/99		
12 NCAC 09B .0202	13:14 NCR 1110		13:19 NCR 1611	*	Approve	10/04/99	Approve	06/17/99		
12 NCAC 09B .0203	13:14 NCR 1110		13:19 NCR 1611	*	Object	06/17/99	Return to Agency	07/15/99		
12 NCAC 09B .0204	13:14 NCR 1110		13:19 NCR 1611	*	Approve	10/04/99	Approve	06/17/99		
12 NCAC 09B .0205	13:14 NCR 1110		13:19 NCR 1611	S/L	Object	06/17/99	Return to Agency	07/15/99		
12 NCAC 09B .0206	13:14 NCR 1110		13:19 NCR 1611	*	Approve	10/04/99	Approve	06/17/99		
12 NCAC 09B .0207	13:14 NCR 1110		13:19 NCR 1611	*	Approve	10/04/99	Approve	06/17/99		14:05 NCR 402
12 NCAC 09B .0208	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99	Approve	06/17/99		14:05 NCR 402
12 NCAC 09B .0226	13:14 NCR 1110		13:19 NCR 1611	*	Object	06/17/99	Return to Agency	07/15/99		
12 NCAC 09B .0227	13:14 NCR 1110		13:19 NCR 1611	*	Approve	10/04/99	Approve	06/17/99		
					Returned to Agency					*

**CUMULATIVE INDEX**  
(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	NRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
12 NCAC 09B .0228	13.14 NCR 1110		13.19 NCR 1611	S	Object	06/17/99				
12 NCAC 09B .0232	13.14 NCR 1110		13.19 NCR 1611	S	Returned to Agency					*
12 NCAC 09B .0233	13.14 NCR 1110		13.19 NCR 1611	S	Approve	10/04/99				*
12 NCAC 09B .0302	13.14 NCR 1110		13.19 NCR 1611	*	Object	06/17/99				*
12 NCAC 09B .0303	13.14 NCR 1110		13.19 NCR 1611	*	Return to Agency	07/15/99				*
12 NCAC 09B .0304	13.14 NCR 1110		13.19 NCR 1611	*	Approve	10/04/99				*
12 NCAC 09B .0305	13.14 NCR 1110		13.19 NCR 1611	*	Approve	06/17/99				*
12 NCAC 09B .0312	13.14 NCR 1110		13.19 NCR 1611	*	Object	06/17/99				*
12 NCAC 09B .0403	13.14 NCR 1110		13.19 NCR 1611	*	Returned to Agency	07/15/99				*
12 NCAC 09B .0404	13.14 NCR 1110		13.19 NCR 1611	*	Approve	10/04/99				*
12 NCAC 09B .0405	13.14 NCR 1110		13.19 NCR 1611	*	Approve	06/17/99				*
12 NCAC 09B .0406	13.14 NCR 1110		13.19 NCR 1611	S	Approve	06/17/99				*
12 NCAC 09B .0497	13.14 NCR 1110		13.19 NCR 1611	*	Approve	06/17/99				*
12 NCAC 09B .0414	13.14 NCR 1110		13.19 NCR 1611	*	Approve	06/17/99				*
12 NCAC 09B .0415	13.14 NCR 1110		13.19 NCR 1611	*	Approve	06/17/99				*
12 NCAC 09C .0211	13.14 NCR 1110		13.19 NCR 1611	*	Object	06/17/99				*
12 NCAC 09C .0212	13.14 NCR 1110		13.19 NCR 1611	*	Returned to Agency	07/15/99				*
12 NCAC 09C .0213	13.14 NCR 1110		13.19 NCR 1611	*	Approve	10/04/99				*
12 NCAC 09C .0403	13.14 NCR 1110		13.19 NCR 1611	*	Object	06/17/99				*
12 NCAC 09E .0107	13.14 NCR 1110		13.19 NCR 1611	*	Returned to Agency	07/15/99				*
					Approve	10/04/99				*
					Approve	06/17/99				*
					Approve	06/17/99				*

**CUMULATIVE INDEX**  
 (Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
<b>Sheriffs' Education and Training Standards Commission</b>										
12 NCAC 10B .0103	13.14 NCR 1110				13:19 NCR 1637	S	Object Return to Agency	06/17/99 07/15/99		
12 NCAC 10B .0502	13.14 NCR 1110				13:19 NCR 1637	L	Object	06/17/99		
12 NCAC 10B .0505	13.14 NCR 1110				13:19 NCR 1637	*	Approve	06/17/99		14.05 NCR 402
12 NCAC 10B .0506	13.14 NCR 1110				13:19 NCR 1637	*	Approve	06/17/99		14.05 NCR 402
12 NCAC 10B .0507	13.14 NCR 1110				13:19 NCR 1637	*	Approve	06/17/99		14.05 NCR 402
12 NCAC 10B .0508	13.14 NCR 1110				13:19 NCR 1637	*	Approve	06/17/99		14.05 NCR 402
12 NCAC 10B .0509	13.14 NCR 1110				13:19 NCR 1637	*	Approve	06/17/99		14.05 NCR 402
12 NCAC 10B .0601	13.14 NCR 1110				13:19 NCR 1637	S/L	Object	06/17/99		
12 NCAC 10B .0606	13.14 NCR 1110									
12 NCAC 10B .0607	13.14 NCR 1110									
12 NCAC 10B .0703	13.14 NCR 1110				13:19 NCR 1637	S/L	Approve	06/17/99		14.05 NCR 402
12 NCAC 10B .0908	13.14 NCR 1110				13:19 NCR 1637	S/L	Approve	06/17/99		14.05 NCR 402
12 NCAC 10B 1002	13.14 NCR 1110				13:19 NCR 1637	*	Approve	06/17/99		14.05 NCR 402
12 NCAC 10B 1401	13.14 NCR 1110				13:19 NCR 1637	S	Approve	06/17/99		14.05 NCR 402
12 NCAC 10B 1402	13.14 NCR 1110				13:19 NCR 1637	S	Approve	06/17/99		14.05 NCR 402
12 NCAC 10B 1403	13.14 NCR 1110				13:19 NCR 1637	S	Approve	06/17/99	*	14.05 NCR 402
12 NCAC 10B 1404	13.14 NCR 1110				13:19 NCR 1637	S	Approve	06/17/99	*	14.05 NCR 402
12 NCAC 10B 1405	13.14 NCR 1110				13:19 NCR 1637	S	Approve	06/17/99	*	14.05 NCR 402
12 NCAC 10B 1406	13.14 NCR 1110				13:19 NCR 1637	S	Approve	06/17/99		14.05 NCR 402
<b>LABOR</b>										
13 NCAC 01A .0100	14.07 NCR 519									
13 NCAC 01B .0100	14.07 NCR 519									
13 NCAC 01B .0200	14.07 NCR 519									
13 NCAC 01B .0300	14.07 NCR 519									
13 NCAC 01B .0400	14.07 NCR 519									
13 NCAC 01B .0500	14.07 NCR 519									

**CUMULATIVE INDEX**  
Updated through October 26, 19

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				

1 NCAC 01B .0600	14.07 NCR 519
1 NCAC 01C .0100	14.07 NCR 519
1 NCAC 01C .0200	14.07 NCR 519
1 NCAC 01C .0300	14.07 NCR 519
1 NCAC 01C .0400	14.07 NCR 519
1 NCAC 01C .0500	14.07 NCR 519

Boiler and Pressure Vessel Division

Kerfulting Education Foundation Standards

140 / MCR 31 /

\* INCAC 13 0406 13 03 NCR 269  
\* INCAC 13 0406 13 03 NCR 269

Occupational Safety and Health

B. NCAC 07F 0601		13.02 NCR 176	13.21 NCR 1786	S/L/SE	Object	10/04/99
B. NCAC 07F 0602		13.02 NCR 176	13.21 NCR 1786	S/L	Object	10/04/99
B. NCAC 07F 0603		13.02 NCR 176	13.21 NCR 1786	S/L/SE	Object	10/04/99
B. NCAC 07F 0604		13.02 NCR 176	13.21 NCR 1786	S/L/SE	Object	10/04/99
B. NCAC 07F 0605		13.02 NCR 176	13.21 NCR 1786	S/L/SE	Object	10/04/99
B. NCAC 07F 0606		13.02 NCR 176	13.21 NCR 1786	S/L	Object	10/04/99
<b>Employment Discrimination</b>						
<b>Employment Discrimination</b>						
B. NCAC 10.0101		N/A	N/A	N/A	N/A	08/10/00

11 (m) NCP 718

**CUMULATIVE INDEX**  
 (Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				

**Wage and Hour Division**

13 NCAC 12 .0501 13:03 NCR 268

13 NCAC 12 .0801 13:03 NCR 268

13 NCAC 12 .0802 13:03 NCR 268

**LANDSCAPE ARCHITECTS, BOARD OF**

21 NCAC 26 .0101 14:05 NCR 373

21 NCAC 26 .0104 12:08 NCR 730 Temp Expired 07/12/98

21 NCAC 26 .0104 14:05 NCR 373

21 NCAC 26 .0105 12:08 NCR 730 Temp Expired 07/12/98

21 NCAC 26 .0105 14:05 NCR 373

21 NCAC 26 .0302 12:08 NCR 730 Temp Expired 07/12/98

21 NCAC 26 .0506 12:08 NCR 730 Temp Expired 07/12/98

21 NCAC 26 .0507 12:08 NCR 730 Temp Expired 07/12/98

21 NCAC 26 .0508 12:08 NCR 730 Temp Expired 07/12/98

21 NCAC 26 .0509 12:08 NCR 730 Temp Expired 07/12/98

**MEDICAL BOARD**

21 NCAC 32 13:06 NCR 538

21 NCAC 32B 11:18 NCR 1369

21 NCAC 32B 12:04 NCR 245

21 NCAC 32O .0118 11:18 NCR 1369 13:08 NCR 709 \*

21 NCAC 32O .0119 11:18 NCR 1369 13:08 NCR 709 \*

21 NCAC 32O .0120 11:18 NCR 1369 13:08 NCR 709 \*

21 NCAC 32O .0121 11:18 NCR 1369 13:08 NCR 709 \*

21 NCAC 32R .0101 14:03 NCR 127

21 NCAC 32R .0102 14:03 NCR 127

21 NCAC 32R .0103 14:03 NCR 127

21 NCAC 32R .0104 14:03 NCR 127

## CUMULATIVE INDEX

(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status	Text differs from proposal	Effective by Governor	Approved Rule	Other
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### MORTUARY SCIENCE, BOARD OF

21 NCAC 34C 12.09 NCR 745

### MUNICIPAL INCORPORATIONS PETITION

### NURSING, BOARD OF

21 NCAC 36 0213 13.22 NCR 1821

21 NCAC 36 0227 14.07 NCR 521

21 NCAC 36 0404 14.07 NCR 521

21 NCAC 36 0701 14.07 NCR 521

21 NCAC 36 0702 14.07 NCR 521

21 NCAC 36 0703 14.07 NCR 521

21 NCAC 36 0704 14.07 NCR 521

21 NCAC 36 0705 14.07 NCR 521

### NURSING HOME ADMINISTRATORS, BOARD OF EXAMINERS FOR

21 NCAC 37D 0202 14.05 NCR 398 14.09 NCR 684

21 NCAC 37D 0302 14.08 NCR 578

21 NCAC 37D 0303 14.08 NCR 578

21 NCAC 37D 0403 14.08 NCR 578

21 NCAC 37D 0502 14.08 NCR 578

21 NCAC 37D 0504 14.08 NCR 578

21 NCAC 37D 0605 14.08 NCR 578

21 NCAC 37D 0701 14.08 NCR 578

21 NCAC 37E 0101 14.08 NCR 578

21 NCAC 37E 0102 14.05 NCR 398

21 NCAC 37E 0102 14.08 NCR 578

21 NCAC 37F 0101 14.08 NCR 578

21 NCAC 37F 0102 14.05 NCR 398

21 NCAC 37F 0102 14.08 NCR 578

21 NCAC 37F 0102 14.09 NCR 684

21 NCAC 37F 0102 14.09 NCR 684

**CUMULATIVE INDEX**  
(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	NRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				

21 NCAC 37G .0102 14.05 NCR 398 14.09 NCR 684 \*

21 NCAC 37G .0201 14.05 NCR 398 14.09 NCR 684 \*

21 NCAC 37G .0201 14.08 NCR 578

21 NCAC 37G .0202 14.08 NCR 578 14.05 NCR 398 14.09 NCR 684 \*

21 NCAC 37H .0102 14.08 NCR 578

21 NCAC 37H .0102 14.08 NCR 578 14.08 NCR 578 \*

21 NCAC 37H .0104 14.08 NCR 578

21 NCAC 37H .0101 14.08 NCR 578

**PHARMACY, BOARD OF**

21 NCAC 46 1317 13.22 NCR 1824

14.06 NCR 480 \*

12.07 NCR 527 12.09 NCR 797 13.02 NCR 246 SE State Budget Object Object Object Approve 03/20/98 12/17/98 02/18/99 04/15/99 05/20/99 14.04 NCR 330 \*

**CUMULATIVE INDEX**  
 (Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				

21 NCAC 46.2301	12.03 NCR 168				12.07 NCR 527	*				
21 NCAC 46.2306	12.24 NCR 2203				12.09 NCR 797	*				
21 NCAC 46.2506	12.24 NCR 2203				13.04 NCR 419	*	Object	11/19/98		
					13.04 NCR 419	*	Object	12/17/98		
<b>PHYSICAL THERAPY EXAMINERS</b>										
21 NCAC 48F 0102	14.06 NCR 489				14.06 NCR 489					
<b>PLUMBING, HEATING, AND FIRE SPRINKLER CONTRACTORS, EXAMINERS OF</b>										
21 NCAC 50.0106	12.07 NCR 509				12.07 NCR 509					
21 NCAC 50.0202	12.07 NCR 509				12.07 NCR 509					
21 NCAC 50.0301	14.06 NCR 429				14.06 NCR 429					
21 NCAC 50.0304	14.06 NCR 429				14.06 NCR 429					
21 NCAC 50.0306	14.06 NCR 429				14.06 NCR 429					
21 NCAC 50.0310	14.06 NCR 429				14.06 NCR 429					
21 NCAC 50.0402	14.06 NCR 429				14.06 NCR 429					
21 NCAC 50.0404	14.06 NCR 429				14.06 NCR 429					
21 NCAC 50.0406	14.06 NCR 429				14.06 NCR 429					
21 NCAC 50.0407	14.06 NCR 429				14.06 NCR 429					
21 NCAC 50.0412	14.06 NCR 429				14.06 NCR 429					
21 NCAC 50.0505	14.06 NCR 429				14.06 NCR 429					
21 NCAC 50.0506	12.07 NCR 509				12.07 NCR 557		Temp Expired 06/28/98			
21 NCAC 50.0506	14.06 NCR 429				14.06 NCR 429					
21 NCAC 50.0508	14.06 NCR 429				14.06 NCR 429					
21 NCAC 50.1101	14.06 NCR 429				14.06 NCR 429					
21 NCAC 50.1102	14.06 NCR 429				14.06 NCR 429					
21 NCAC 50.1201	14.06 NCR 429				14.06 NCR 429					
21 NCAC 50.1202	14.06 NCR 429				14.06 NCR 429					
21 NCAC 50.1203	14.06 NCR 429				14.06 NCR 429					

**CUMULATIVE INDEX**  
 (Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	NRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
21 NCAC 50 .1204			14.06 NCR 429							
21 NCAC 50 .1205			14.06 NCR 429							
21 NCAC 50 .1206			12.07 NCR 509							
21 NCAC 50 .1206			14.06 NCR 429							
21 NCAC 50 .1207			14.06 NCR 429							
21 NCAC 50 .1208			14.06 NCR 429							
21 NCAC 50 .1209			14.06 NCR 429							
21 NCAC 50 .1210			14.06 NCR 429							
21 NCAC 50 .1211			14.06 NCR 429							
21 NCAC 50 .1212			14.06 NCR 429							
21 NCAC 50 .1213			14.06 NCR 429							
21 NCAC 50 .1214			14.06 NCR 429							
21 NCAC 50 .1302			12.07 NCR 509							
<b>PSYCHOLOGY BOARD</b>										
21 NCAC 54 .1611			12.05 NCR 338				13.13 NCR 1050			*
21 NCAC 54 .1612			12.05 NCR 338							
21 NCAC 54 .1613			12.05 NCR 338							
21 NCAC 54 .1901			13.21 NCR 1784							
21 NCAC 54 .2006			12.05 NCR 338							
21 NCAC 54 .2010			12.05 NCR 338							
21 NCAC 54 .2104			12.05 NCR 338							
21 NCAC 54 .2301			12.05 NCR 338							
21 NCAC 54 .2302			12.05 NCR 338							
21 NCAC 54 .2303			12.05 NCR 338							
21 NCAC 54 .2304			12.05 NCR 338							
21 NCAC 54 .2305			12.05 NCR 338							
21 NCAC 54 .2306			12.05 NCR 338							

## CUMULATIVE INDEX

(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
21 NCAC 54 .2307			12.05 NCR 338							
21 NCAC 54 .2308			12.05 NCR 338							
21 NCAC 54 .2309			12.05 NCR 338							
21 NCAC 54 .2310			12.05 NCR 338							
21 NCAC 54 .2311			12.05 NCR 338							
21 NCAC 54 .2312			12.05 NCR 338							
21 NCAC 54 .2313			12.05 NCR 338							
21 NCAC 54 .2314			12.05 NCR 338							
21 NCAC 54 .2401			12.05 NCR 338							
21 NCAC 54 .2402			12.05 NCR 338							
21 NCAC 54 .2501			12.05 NCR 338							
21 NCAC 54 .2502			12.05 NCR 338							
21 NCAC 54 .2503			12.05 NCR 338							
21 NCAC 54 .2504			12.05 NCR 338							
21 NCAC 54 .2505			12.05 NCR 338							
21 NCAC 54 .2601			12.05 NCR 338							
21 NCAC 54 .2602			12.05 NCR 338							
21 NCAC 54 .2704			12.05 NCR 338							
21 NCAC 54 .2705			12.05 NCR 338							
21 NCAC 54 .2706			12.05 NCR 338							
21 NCAC 54 .2801			12.05 NCR 338							
21 NCAC 54 .2802			12.05 NCR 338							
21 NCAC 54 .2803			12.05 NCR 338							
21 NCAC 54 .2804			12.05 NCR 338							
21 NCAC 54 .2805			12.05 NCR 338							
21 NCAC 54 .2806			12.05 NCR 338							
21 NCAC 54 .2807			12.05 NCR 338							
							13.13 NCR 1050	*		
							13.13 NCR 1050	*		
							13.13 NCR 1050	*		
							13.13 NCR 1050	*		
							13.13 NCR 1050	*		
							13.13 NCR 1050	*		
							13.13 NCR 1050	*		
							13.13 NCR 1050	*		

**CUMULATIVE INDEX**  
 (Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status	Text differs from proposal	Effective by Governor	Approved Rule	Other
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**PUBLIC EDUCATION**

16 NCAC 06B .0108		13:13 NCR 1061	13:18 NCR 1503	*	Approve	07/15/99			14:06 NCR 490
16 NCAC 06C .0100	14:06 NCR 428		13:18 NCR 1503	*	Return to Agency	07/15/99			
16 NCAC 06C .0102		13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0103									
16 NCAC 06C .0200	14:06 NCR 428	13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0202		13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0205		13:24 NCR 2008	*	Return to Agency	07/15/99				
16 NCAC 06C .0205		13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0206		13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0207		13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0300	14:06 NCR 428	13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0301		13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0302		13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0303		13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0304		13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0305		13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0306		13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0307		13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0308		13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0309		13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0311		13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0312		13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0313		13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0400	14:06 NCR 428	13:18 NCR 1503	*	Object	07/15/99				
16 NCAC 06C .0501		12:22 NCR 2010	13:18 NCR 1503	Approve	08/19/99	*			14:09 NCR 708
16 NCAC 06D .0103				Approve	07/15/99	*			14:06 NCR 490

**CUMULATIVE INDEX**  
(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
Temp Expired 02/09/99										
16 NCAC 06D 0103			13.24 NCR 2008	S	Approve	07/15/99	*		14.06 NCR 490	
16 NCAC 06D 0210			13.18 NCR 1503	*	Approve	07/15/99			14.06 NCR 490	
16 NCAC 06D 0301			13.18 NCR 1503	*	Approve	07/15/99			14.06 NCR 490	
16 NCAC 06D 0302			13.18 NCR 1503	*	Approve	07/15/99			14.06 NCR 490	
16 NCAC 06D 0303			13.18 NCR 1503	*	Approve	07/15/99			14.06 NCR 490	
16 NCAC 06D 0304			13.24 NCR 2008	S	Approve	07/15/99	*		14.06 NCR 490	
16 NCAC 06D 0305			13.18 NCR 1503	*	Approve	07/15/99	*		14.06 NCR 490	
16 NCAC 06D 0501			13.24 NCR 2008	S						
16 NCAC 06D 0502			13.24 NCR 2008	S						
16 NCAC 06D 0503			13.24 NCR 2008	S	Object	10/04/99				
16 NCAC 06D 0504			13.24 NCR 2008	S	Object	10/04/99				
16 NCAC 06D 0505			13.24 NCR 2008	S						
16 NCAC 06D 0506			13.24 NCR 2008	S						
16 NCAC 06D 0507			13.24 NCR 2008	S						
16 NCAC 06E 0202			13.18 NCR 1503	*						
16 NCAC 06E 0202		14.06 NCR 428	13.05 NCR 523							
16 NCAC 06E 0301			13.18 NCR 1503	*	Approve	07/15/99			14.06 NCR 490	
16 NCAC 06E 0301			13.18 NCR 1503	*	Approve	07/15/99			14.06 NCR 490	
16 NCAC 06G 0202			13.18 NCR 1503	*	Approve	07/15/99			14.06 NCR 490	
16 NCAC 06G 0308			13.18 NCR 1503	*	Approve	07/15/99			14.06 NCR 490	
16 NCAC 06G 0309			13.18 NCR 1503	*	Approve	07/15/99			14.06 NCR 490	
16 NCAC 06G 0311			12.22 NCR 2010	13.18 NCR 1503	*				14.06 NCR 490	
16 NCAC 06G 0502			Temp Expired 02/09/99	13.18 NCR 1503	*				14.06 NCR 490	
16 NCAC 06G 0502			14.06 NCR 428							
16 NCAC 06H 0101			13.18 NCR 1503	*						
16 NCAC 06H 0103			13.18 NCR 1503	*						
Return to Agency 07/15/99										

**CUMULATIVE INDEX**  
 (Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status	Text differs from proposal	Effective by Governor	Approved Rule	Other
----------------------	-------------------------	----------------	----------------	-------------	------------	----------------------------	-----------------------	---------------	-------

16 NCAC 0611 .0103	14.06 NCR 428				13.18 NCR 1503	*			Return to Agency 07/15/99
16 NCAC 0611 .0105					13.18 NCR 1503	*			Return to Agency 07/15/99
16 NCAC 0611 .0106					13.18 NCR 1503	*			Return to Agency 07/15/99
16 NCAC 0611 .0106	14.06 NCR 428				13.18 NCR 1503	*			Return to Agency 07/15/99
16 NCAC 0611 .0107					13.18 NCR 1503	*			Return to Agency 07/15/99
16 NCAC 0611 .0107	14.06 NCR 428				13.18 NCR 1503	*			Return to Agency 07/15/99
16 NCAC 0611 .0108					13.18 NCR 1503	*			Return to Agency 07/15/99
16 NCAC 0611 .0109					13.18 NCR 1503	*			Return to Agency 07/15/99
16 NCAC 0611 .0110					13.18 NCR 1503	*			Object 10/04/99
<b>REAL ESTATE COMMISSION</b>									
21 NCAC 58A .0107	14.06 NCR 429				14.06 NCR 429				
21 NCAC 58A .0109					14.06 NCR 429				
21 NCAC 58A .0110	14.06 NCR 429				14.06 NCR 429				
21 NCAC 58A .0113	14.06 NCR 429				14.06 NCR 429				
21 NCAC 58A .0114	14.06 NCR 429				14.06 NCR 429				
21 NCAC 58A .0301	14.06 NCR 429				14.06 NCR 429				
21 NCAC 58A .0302	14.06 NCR 429				14.06 NCR 429				
21 NCAC 58A .0303	14.06 NCR 429				14.06 NCR 429				
21 NCAC 58A .0401	14.06 NCR 429				14.06 NCR 429				
21 NCAC 58A .0402	14.06 NCR 429				14.06 NCR 429				
21 NCAC 58A .0403	14.06 NCR 429				14.06 NCR 429				
21 NCAC 58A .0404	14.06 NCR 429				14.06 NCR 429				
21 NCAC 58A .0406	14.06 NCR 429				14.06 NCR 429				
21 NCAC 58A .0503	14.06 NCR 429				14.06 NCR 429				
21 NCAC 58A .0505	14.06 NCR 429				14.06 NCR 429				
21 NCAC 58A .0601	14.06 NCR 429				14.06 NCR 429				

## CUMULATIVE INDEX

(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
21 NCAC 58A .1402					14:06 NCR 429					
21 NCAC 58A .1703					14:06 NCR 429					
21 NCAC 58A .1708					14:06 NCR 429					
21 NCAC 58B .0101					14:06 NCR 429					
21 NCAC 58B .0102					14:06 NCR 429					
21 NCAC 58C .0105					14:06 NCR 429					
21 NCAC 58C .0106					14:06 NCR 429					
21 NCAC 58C .0107					14:06 NCR 429					
21 NCAC 58C .0207					14:06 NCR 429					
21 NCAC 58C .0213					14:06 NCR 429					
21 NCAC 58C .0214					14:06 NCR 429					
21 NCAC 58C .0217					14:06 NCR 429					
21 NCAC 58C .0218					14:06 NCR 429					
21 NCAC 58C .0302					14:06 NCR 429					
21 NCAC 58C .0304					14:06 NCR 429					
21 NCAC 58C .0305					14:06 NCR 429					
21 NCAC 58C .0306					14:06 NCR 429					
21 NCAC 58C .0307					14:06 NCR 429					
21 NCAC 58C .0310					14:06 NCR 429					
21 NCAC 58E .0202					14:06 NCR 429					
21 NCAC 58E .0204					14:06 NCR 429					
21 NCAC 58E .0205					14:06 NCR 429					
21 NCAC 58E .0304					14:06 NCR 429					
21 NCAC 58E .0310					14:06 NCR 429					
21 NCAC 58E .0412					14:06 NCR 429					

**CUMULATIVE INDEX**  
 (Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Role	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
<b>REFRIGERATION EXAMINERS, BOARD OF</b>										
21 NCAC 58E .0515	14.06 NCR 429									
21 NCAC 60 .0102	14.08 NCR 579									
21 NCAC 60 .0207	14.08 NCR 579									
21 NCAC 60 .0311	14.08 NCR 579									
21 NCAC 60 .1102	14.08 NCR 579									
<b>REVENUE</b>										
17 NCAC 04B .0102	N/A						13.08 NCR 690	N/A		
17 NCAC 04B .0104	N/A						13.08 NCR 690	N/A		
17 NCAC 04B .0105	N/A						13.08 NCR 690	N/A		
17 NCAC 04B .0106	N/A						13.08 NCR 690	N/A		
17 NCAC 04B .0107	N/A						13.08 NCR 690	N/A		
17 NCAC 04B .0301	N/A						13.08 NCR 690	N/A		
17 NCAC 04B .0302	N/A						13.08 NCR 690	N/A		
17 NCAC 04B .0306	N/A						13.08 NCR 690	N/A		
17 NCAC 04B .0308	N/A						13.08 NCR 690	N/A		
17 NCAC 04B .0309	N/A						13.08 NCR 690	N/A		
17 NCAC 04B .0310	N/A						13.08 NCR 690	N/A		
17 NCAC 04B .0311	N/A						13.08 NCR 690	N/A		
17 NCAC 04B .0312	N/A						13.08 NCR 690	N/A		
17 NCAC 04B .0403	N/A						13.08 NCR 690	N/A		
17 NCAC 04B .0405	N/A						13.08 NCR 690	N/A		
17 NCAC 04B .2902	N/A						13.08 NCR 690	N/A		
17 NCAC 04B .4301	N/A						13.08 NCR 690	N/A		
17 NCAC 04B .4302	N/A						13.08 NCR 690	N/A		
17 NCAC 04E .0102	N/A						13.08 NCR 690	N/A		
17 NCAC 04E .0103	N/A						13.08 NCR 690	N/A		

**CUMULATIVE INDEX**  
(Updated through October 26, 1999)

Agency/Rule Citation	Role-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
17 NCAC 04E .0201	N/A			13.08 NCR 690		N/A				
17 NCAC 04E 0202	N/A			13.08 NCR 690		N/A				
17 NCAC 04E 0203	N/A			13.08 NCR 690		N/A				
17 NCAC 04E 0302	N/A			13.08 NCR 690		N/A				
17 NCAC 04E .0703	N/A			13.08 NCR 690		N/A				
17 NCAC 04F .0005	N/A			13.08 NCR 690		N/A				
17 NCAC 05C .0102				12.14 NCR 1285	*					
17 NCAC 05C .0703				12.14 NCR 1285	*					
17 NCAC 06B .0105	N/A			13.08 NCR 694		N/A				
17 NCAC 06B .0118	N/A			13.09 NCR 762		N/A	Object	12/17/98		
							Object	03/18/99		
							Approve	04/15/99	*	
										14.02 NCR 84
17 NCAC 07B .0124	N/A			13.08 NCR 695		N/A				
17 NCAC 07B .0125	N/A			13.08 NCR 695		N/A				
17 NCAC 07B .2101	N/A			13.09 NCR 767		N/A				
17 NCAC 09K .0601	N/A			13.08 NCR 695		N/A				
<b>SECRETARY OF STATE</b>										
18 NCAC 06 .1212				13.14 NCR 1151						
18 NCAC 06 .1304				14.08 NCR 645		14.08 NCR 645	*			
18 NCAC 06 .1502				13.14 NCR 1151						
18 NCAC 06 .1802				14.08 NCR 645		14.08 NCR 645	*			
18 NCAC 06 .1803				12.07 NCR 534		14.08 NCR 645	*			
				Temp Expired 06/28/98		12.14 NCR 1312	*			
18 NCAC 10 .0101	13.09 NCR 759			12.07 NCR 534		12.14 NCR 1312	*			
18 NCAC 10 .0201	13.09 NCR 759			Temp Expired 06/28/98		13.14 NCR 1153				
18 NCAC 10 .0301	13.09 NCR 759			13.14 NCR 1153		13.18 NCR 1556				
18 NCAC 10 .0302	13.09 NCR 759			13.14 NCR 1153		13.18 NCR 1556				
										13.14 NCR 1153

**CUMULATIVE INDEX**

(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
18 NCAC 10 .0303		13:09 NCR 759			13:14 NCR 1153					
18 NCAC 10 .0304		13:09 NCR 759			13:14 NCR 1153					
18 NCAC 10 .0305		13:09 NCR 759			13:14 NCR 1153					
					13:18 NCR 1556					
18 NCAC 10 .0306					13:18 NCR 1556					
18 NCAC 10 .0307					13:18 NCR 1556					
18 NCAC 10 .0401		13:09 NCR 759			13:14 NCR 1153					
					13:18 NCR 1556					
18 NCAC 10 .0402		13:09 NCR 759			13:14 NCR 1153					
					13:18 NCR 1556					
18 NCAC 10 .0501		13:09 NCR 759			13:14 NCR 1153					
					13:18 NCR 1556					

**SOCIAL WORK CERTIFICATION AND LICENSURE BOARD**

21 NCAC 63 .0101		14:09 NCR 697			14:09 NCR 697					
21 NCAC 63 .0102		14:09 NCR 697			14:09 NCR 697					
21 NCAC 63 .0103		14:09 NCR 697			14:09 NCR 697					
21 NCAC 63 .0104		14:09 NCR 697			14:09 NCR 697					
21 NCAC 63 .0105		14:09 NCR 697			14:09 NCR 697					
21 NCAC 63 .0201		14:09 NCR 697			14:09 NCR 697					
21 NCAC 63 .0202		14:09 NCR 697			14:09 NCR 697					
21 NCAC 63 .0204		14:09 NCR 697			14:09 NCR 697					
21 NCAC 63 .0205		14:09 NCR 697			14:09 NCR 697					
21 NCAC 63 .0206		14:09 NCR 697			14:09 NCR 697					
21 NCAC 63 .0207		14:09 NCR 697			14:09 NCR 697					
21 NCAC 63 .0208		14:09 NCR 697			14:09 NCR 697					
21 NCAC 63 .0209		14:09 NCR 697			14:09 NCR 697					
21 NCAC 63 .0210		14:09 NCR 697			14:09 NCR 697					
21 NCAC 63 .0211		14:09 NCR 697			14:09 NCR 697					
21 NCAC 63 .0212		14:09 NCR 697			14:09 NCR 697					
21 NCAC 63 .0213		14:09 NCR 697			14:09 NCR 697					
21 NCAC 63 .0301		14:09 NCR 697			14:09 NCR 697					

**CUMULATIVE INDEX**  
 (Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
21 NCAC 63 .0302		14.09 NCR 697			14.09 NCR 697					
21 NCAC 63 .0303		14.09 NCR 697			14.09 NCR 697					
21 NCAC 63 .0304		14.09 NCR 697			14.09 NCR 697					
21 NCAC 63 .0305		14.09 NCR 697			14.09 NCR 697					
21 NCAC 63 .0306		14.09 NCR 697			14.09 NCR 697					
21 NCAC 63 .0401		14.09 NCR 697			14.09 NCR 697					
21 NCAC 63 .0402		14.09 NCR 697			14.09 NCR 697					
21 NCAC 63 .0403		14.09 NCR 697			14.09 NCR 697					
21 NCAC 63 .0404		14.09 NCR 697			14.09 NCR 697					
21 NCAC 63 .0501		14.09 NCR 697			14.09 NCR 697					
21 NCAC 63 .0503		14.09 NCR 697			14.09 NCR 697					
21 NCAC 63 .0507		14.09 NCR 697			14.09 NCR 697					
21 NCAC 63 .0508		14.09 NCR 697			14.09 NCR 697					
21 NCAC 63 .0509		14.09 NCR 697			14.09 NCR 697					
21 NCAC 63 .0601		14.09 NCR 697			14.09 NCR 697					
21 NCAC 63 .0602		14.09 NCR 697			14.09 NCR 697					
21 NCAC 63 .0603		14.09 NCR 697			14.09 NCR 697					
21 NCAC 63 .0604		14.09 NCR 697			14.09 NCR 697					
21 NCAC 63 .0607		14.09 NCR 697			14.09 NCR 697					
21 NCAC 63 .0609		14.09 NCR 697			14.09 NCR 697					
21 NCAC 63 .0701		14.09 NCR 697			14.09 NCR 697					
21 NCAC 63 .0702		14.09 NCR 697			14.09 NCR 697					
21 NCAC 63 .0703		14.09 NCR 697			14.09 NCR 697					
21 NCAC 63 .0704		14.09 NCR 697			14.09 NCR 697					
21 NCAC 63 .0801		14.09 NCR 697			14.09 NCR 697					
21 NCAC 63 .0802		14.09 NCR 697			14.09 NCR 697					
21 NCAC 63 .0803		14.09 NCR 697			14.09 NCR 697					

**CUMULATIVE INDEX**  
(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				

21 NCAC 63 .0804 14 09 NCR 697 14 09 NCR 697  
 21 NCAC 63 .0805 14 09 NCR 697 14 09 NCR 697  
 21 NCAC 63 .0806 14 09 NCR 697 14 09 NCR 697  
 21 NCAC 63 .0807 14 09 NCR 697 14 09 NCR 697  
 21 NCAC 63 .0808 14 09 NCR 697 14 09 NCR 697  
 21 NCAC 63 .0809 14 09 NCR 697 14 09 NCR 697  
 21 NCAC 63 .0820 14 09 NCR 697 14 09 NCR 697

**STATE PERSONNEL COMMISSION**

25 NCAC 01B .0354 13 05 NCR 436 \*  
 25 NCAC 01B .0414 13 18 NCR 1560 13 22 NCR 1850 \* Approve 10/04/99 \*  
 25 NCAC 01B .0434 13 18 NCR 1560 13 22 NCR 1850 \* Approve 10/04/99 \*  
 25 NCAC 01B .0437 13 05 NCR 436 13 09 NCR 773 \* Object 10/04/99 \*  
 25 NCAC 01C .0214 13 18 NCR 1560 13 22 NCR 1850 \* Approve 10/04/99 \*  
 25 NCAC 01D .2516 11 13 NCR 1062 11 19 NCR 1429 \*  
 Temp Expired  
 25 NCAC 01D .2517 12 09 NCR 835 Temp Expired 07/31/98 \*  
 25 NCAC 01H .0602 13 05 NCR 436 13 09 NCR 773 \* Approve 10/04/99 \*  
 25 NCAC 01H .0605 13 05 NCR 436 13 09 NCR 773 \* Object 10/04/99 \*  
 25 NCAC 01H .0606 13 05 NCR 436 13 09 NCR 773 \* Object 10/04/99 \*  
 25 NCAC 01J .0503 13 05 NCR 436 13 09 NCR 773 \* Approve 10/04/99 \*  
 25 NCAC 01J .0506 13 18 NCR 1560 13 22 NCR 1850 \* Approve 10/04/99 \*  
 25 NCAC 01J .0512 13 05 NCR 436 13 09 NCR 773 \*  
 25 NCAC 01J .0603 13 05 NCR 436 13 09 NCR 773 \* Approve 10/04/99 \*  
 25 NCAC 01J .0603 13 18 NCR 1560 13 22 NCR 1850 \* Approve 10/04/99 \*

**TRANSPORTATION**

Highways, Division of  
 19A NCAC 02D .0415 13 08 NCR 626 13 14 NCR 1116 \* Approve 04/15/99  
 19A NCAC 02E .0201 14 03 NCR 126 14 09 NCR 670 \* 14 02 NCR 84

**CUMULATIVE INDEX**  
(Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
19A NCAC 02E .0202	14.03 NCR 126				14.09 NCR 670	*				
19A NCAC 02E .0203	14.03 NCR 126				14.09 NCR 670	*				
19A NCAC 02E .0206	14.03 NCR 126				14.09 NCR 670	*				
19A NCAC 02E .0207	14.03 NCR 126				14.09 NCR 695	*				
19A NCAC 02E .0208	14.03 NCR 126				14.09 NCR 670	*				
19A NCAC 02E .0209	14.03 NCR 126				14.09 NCR 670	*				
19A NCAC 02E .0210	14.03 NCR 126				14.09 NCR 670	*				
19A NCAC 02E .0211	14.03 NCR 126				14.09 NCR 670	*				
19A NCAC 02E .0212	14.03 NCR 126				14.09 NCR 670	*				
19A NCAC 02E .0213	14.03 NCR 126				14.09 NCR 670	*				
19A NCAC 02E .0214	14.03 NCR 126				14.09 NCR 670	*				
19A NCAC 02E .0215	14.03 NCR 126				14.09 NCR 695	*				
19A NCAC 02E .0221	13.04 NCR 361				13.10 NCR 811	*				
19A NCAC 02E .0222	13.04 NCR 361				13.10 NCR 811	*				
19A NCAC 02E .0224	14.03 NCR 126				14.09 NCR 670	*				
19A NCAC 02E .0225	14.03 NCR 126				14.09 NCR 670	*				
19A NCAC 02E .0602	14.03 NCR 126				14.09 NCR 695	*				
19A NCAC 02E .0603	14.03 NCR 126				14.09 NCR 670	*				
19A NCAC 02E .0604	14.03 NCR 126				14.09 NCR 670	*				
<b>Motor Vehicles, Division of</b>										
19A NCAC 03G .0203	14.07 NCR 520									
19A NCAC 03G .0205	14.07 NCR 520									
19A NCAC 03G .0206	14.07 NCR 520									
19A NCAC 03G .0207	14.07 NCR 520									
19A NCAC 03G .0209	14.07 NCR 520									
19A NCAC 03G .0213	14.07 NCR 520									
19A NCAC 03I .0207	13.16 NCR 1258				13.22 NCR 1843	*				
										14.06 NCR 490
									Approve	07/15/99

**CUMULATIVE INDEX**  
 (Updated through October 26, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	NRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
19A NCAC 031.0301	13.16 NCR 1258		13.22 NCR 1843	*	Approve	07/15/99				14.06 NCR 490
19A NCAC 031.0302	13.16 NCR 1258		13.22 NCR 1843	*	Approve	07/15/99				14.06 NCR 490
19A NCAC 031.0307	13.16 NCR 1258		13.22 NCR 1843	*	Object	07/15/99				
19A NCAC 031.0401	13.16 NCR 1258		13.22 NCR 1843	*	Approve	08/19/99	*			14.09 NCR 708
19A NCAC 031.0402	13.16 NCR 1258		13.22 NCR 1843	*	Approve	07/15/99				14.06 NCR 490
19A NCAC 031.0501	13.16 NCR 1258		13.22 NCR 1843	*	Object	07/15/99				
19A NCAC 031.0601	13.16 NCR 1258		13.22 NCR 1843	*	Approve	07/15/99				
19A NCAC 031.0701	13.16 NCR 1258		13.22 NCR 1843	*	Approve	07/15/99				
19A NCAC 031.0804	13.16 NCR 1258		13.22 NCR 1843	*	Object	07/15/99				14.09 NCR 708
					Approve	08/19/99	*			

**VETERINARY MEDICAL BOARD**

21 NCAC 66.0207	12.23 NCR 2089
21 NCAC 66.0208	12.23 NCR 2089

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